

2006 SESSION

INTRODUCED

066144306

HOUSE BILL NO. 782

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact § 18.2-18 of the Code of Virginia, relating to elimination of the "triggerman rule."

Patrons—Gilbert, Athey, Callahan, Cosgrove, Hugo, Landes, Lohr, Marshall, D.W., O'Bannon, Rust, Suit, Welch and Wright; Senator: Obenshain

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-18 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-18. How principals in second degree and accessories before the fact punished.

In the case of every felony, every principal in the second degree and every accessory before the fact may be indicted, tried, convicted and punished in all respects as if a principal in the first degree; provided, however, that except in the case of a killing for hire under the provisions of subdivision 2 of § 18.2-31 or a killing pursuant to the direction or order of one who is engaged in a continuing criminal enterprise under the provisions of subdivision 10 of § 18.2-31 or a killing pursuant to the direction or order of one who is engaged in the commission of or attempted commission of an act of terrorism under the provisions of subdivision 13 of § 18.2-31, an accessory before the fact or principal in the second degree to a capital murder shall be indicted, tried, convicted and punished as though the offense were murder in the first degree.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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