

# 2006 SESSION

INTRODUCED

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## HOUSE BILL NO. 904

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-59.1, relating to assault, battery, or threat concerning certain judicial participants; penalty.*

Patron—Iaquinto

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

#### 1. That the Code of Virginia is amended by adding a section numbered 18.2-59.1 as follows:

§ 18.2-59.1. Assault, battery, and threats concerning judges, jurors, witnesses, officers of court, and their immediate family members; penalty.

Any person who commits an assault, or assault and battery, or threatens to kill or injure a judge, juror, witness, officer of the court, or an immediate family member of a judge, juror, witness, or officer of the court, for or in respect of any act or proceeding had or to be had in such court is guilty of a Class 5 felony. Upon conviction, the sentence of such person shall include a mandatory minimum term of confinement of six months.

As used in this section "immediate family member" means any parent, sibling, child, grandchild, spouse, or parent of a spouse. The term includes any spouse of a sibling, child, or grandchild who resides in the same household as the judge, juror, witness, or officer of the court.

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 cannot be determined for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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