

2007 SESSION

HOUSE SUBSTITUTE

070422372

HOUSE BILL NO. 1759

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 22, 2007)

(Patron Prior to Substitute—Delegate Kilgore)

A *BILL to amend and reenact § 18.2-64.1 of the Code of Virginia, relating to penalty for carnal knowledge of certain minors.*

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-64.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-64.1. Carnal knowledge of certain minors.

If any person providing services, paid or unpaid, to juveniles under the purview of the Juvenile and Domestic Relations District Court Law, or to juveniles who have been committed to the custody of the State Department of Juvenile Justice, carnally knows, without the use of force, any minor fifteen years of age or older, when such minor is confined or detained in jail, is detained in any facility mentioned in § 16.1-249, or has been committed to the custody of the Department of Juvenile Justice pursuant to § 16.1-278.8, knowing or having good reason to believe that (i) such minor is in such confinement or detention status, (ii) such minor is a ward of the Department of Juvenile Justice, or (iii) such minor is on probation, furlough, or leave from or has escaped or absconded from such confinement, detention, or custody, he shall be is guilty of a Class 6 5 felony.

For the purposes of this section, "carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anallungus, anal intercourse, and animate and inanimate object sexual penetration.

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 \$18,774 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.

HOUSE
SUBSTITUTE

HB1759H1