

2007 SESSION

INTRODUCED

075086340

HOUSE BILL NO. 2771

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend and reenact § 19.2-223 of the Code of Virginia, relating to charging the crime of larceny.

Patron—Hurt

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-223 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-223. Charging embezzlement and larceny; description of money.

A. In a prosecution against a person accused of embezzling or fraudulently converting to his own use bullion, money, bank notes or other security for money or items of personal property subject to larceny it shall be lawful in the same indictment or accusation to charge and thereon to proceed against the accused for any number of distinct acts of such embezzlements or fraudulent conversions which may have been committed by him within six months from the first to the last of the acts charged in the indictment; and it shall be sufficient to allege the embezzlement or fraudulent conversion to be of money without specifying any particular money, gold, silver, note or security. Such allegation, so far as it regards the description of the property, shall be sustained if the accused be proved to have embezzled any bullion, money, bank note or other security for money or items of personal property subject to larceny although the particular species be not proved.

B. ~~And in~~ In a prosecution for the larceny of United States currency or for obtaining United States currency by a false pretense or token, or for receiving United States currency knowing the same to have been stolen, it shall be sufficient if the accused be proved guilty of the larceny *or embezzlement* of Federal Reserve notes or other national bank notes or United States treasury notes, certificates for either gold or silver coin, metal coin, fractional coin, currency, or any other form of money issued by the United States government, or of obtaining the same by false pretense or token, or of receiving the same knowing it to have been stolen although the particular species be not proved.

C. Any person charged with embezzlement or any offense deemed to be larceny or punishable as larceny may be indicted for larceny under § 18.2-95 or § 18.2-96, and, upon conviction, shall be punished as provided therein.

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