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SENATE BILL NO. 815

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 16, 2007)

(Patrons Prior to Substitute—Senators Cuccinelli, O'Brien [SB 1027] and Howell [SB 1227])

A BILL to amend and reenact § 18.2-59 of the Code of Virginia, relating to extorting money, etc., by withholding immigration document; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-59 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-59. Extorting money, etc., by threats.

A. ~~If any~~ Any person who ~~threaten~~ threatens injury to the character, person, or property of another person or ~~accuse~~ accuses him of any offense or ~~threaten~~ threatens to report him as being illegally present in the United States and thereby ~~extort~~ extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, ~~he shall be~~ is guilty of a Class 5 felony.

B. Any person who knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person is guilty of a Class 5 felony.

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.

HOUSE
SUBSTITUTE

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