

2007 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 815

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 17, 2007)

(Patrons Prior to Substitute—Senators Cuccinelli, O'Brien [SB1027] and Howell [SB 1227])

A *BILL to amend and reenact § 18.2-59 of the Code of Virginia, relating to extortion of immigrants; 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.

~~If any~~ Any person ~~threaten~~ who (i) *threatens* injury to the character, person, or property of another person, ~~or accuse~~ (ii) *accuses* him of any offense, ~~or threaten~~ (iii) *threatens* to report him as being illegally present in the United States, or (iv) *confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, 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.

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 is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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