

# 2007 SESSION

INTRODUCED

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## SENATE BILL NO. 833

Offered January 10, 2007

Prefiled January 5, 2007

A *BILL to amend and reenact § 18.2-388 of the Code of Virginia, relating to intoxication in public; penalty.*

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Patron—Devolites Davis

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Referred to Committee for Courts of Justice

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

#### 1. That § 18.2-388 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-388. Profane swearing and intoxication in public; penalty; transportation of public inebriates to detoxification center.

If any person profanely curses or swears or is intoxicated in public, whether such intoxication results from alcohol, narcotic drug or other intoxicant or drug of whatever nature, he shall be deemed guilty of a Class 4 misdemeanor. *A third or subsequent conviction under this section shall be punishable as a Class 2 misdemeanor.* In any area in which there is located a court-approved detoxification center a law-enforcement officer may authorize the transportation, by police or otherwise, of public inebriates to such detoxification center in lieu of arrest; however, no person shall be involuntarily detained in such center.

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