

2008 SESSION

SENATE SUBSTITUTE

089405272

HOUSE BILL NO. 715

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 18, 2008)

(Patron Prior to Substitute—Delegate Janis)

A BILL to amend and reenact § 19.2-130 of the Code of Virginia, relating to resetting of bail, amending bail set upon arrest.

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-130 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-130. Bail in subsequent proceeding arising out of initial arrest.

Any person admitted to bail by a judge or clerk of a district court or by a magistrate shall not be required to be admitted to bail in any subsequent proceeding arising out of the initial arrest unless the court having jurisdiction of such subsequent proceeding deems the initial amount of bond or security taken inadequate. When the court having jurisdiction of the proceeding believes the amount of bond or security inadequate *or excessive*, it may ~~increase~~ *change* the amount of such bond or security, ~~or~~ require new and additional sureties, *or set other terms of bail as are appropriate to the case, including, but not limited to, drug and alcohol monitoring. The court may, after notice to the parties, initiate a proceeding to alter the terms and conditions of bail on its own motion.*

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