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SENATE BILL NO. 350

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice)

(Patron Prior to Substitute—Senator Reynolds)

Senate Amendments in [] — February 7, 2008

A BILL to amend the Code of Virginia by adding a section numbered 18.2-112.1, relating to misappropriation of public assets; penalty.

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 18.2-112.1 as follows:****§ 18.2-112.1. Misappropriation of public assets.**

A. For purposes of this section, "public assets" shall include personal property or [~~services~~ *belonging to or paid for by* employee workforce of] the Commonwealth, or any city, town, county, or any other political subdivision.

B. If any officer, agent, or employee of the Commonwealth, or of any city, town, county, or any other political subdivision, without lawful authorization, uses or permits the use of public assets for private or personal purposes when the value of such use exceeds \$500 in any 12-month period, he shall be guilty of a Class 4 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.

ENGROSSED

SB350ES1