

2008 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 628

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 30, 2008)

(Patron Prior to Substitute—Senator Ticer)

A BILL to amend and reenact § 19.2-353.5 of the Code of Virginia, relating to interest on fines and costs paid by an incarcerated person.

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-353.5 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-353.5. Interest on fines and costs.

No interest shall accrue on any fine or costs imposed in a criminal case or in a case involving a traffic infraction for a period of forty days from the date of the final judgment imposing such fine or costs or during any period the defendant is incarcerated as a result of that case. *For good cause shown a circuit court may, on motion of the defendant, waive interest on unpaid fines and costs imposed by a judgment of that court and accrued during any period the defendant was incarcerated.*

In no event shall interest accrue in such cases during any period in which a fine, costs, or both a fine and costs are being paid in deferred or installment payments pursuant to an order of the court. Whenever interest on any unpaid fine or costs accrues, it shall accrue at the judgment rate of interest set forth in § 6.1-330.54.

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