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SENATE BILL NO. 844

Senate Amendments in [] — February 2, 2009

A BILL to amend and reenact § 19.2-353.5 of the Code of Virginia, relating to interest on unpaid fines and costs.

Patron Prior to Engrossment—Senator Marsh

Referred to Committee for Courts of Justice

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;~~ as a result of that case. *Interest on fines and costs imposed by other such judgments which have accrued for any period the defendant was incarcerated shall be purged upon submission to the court of documentation establishing such incarceration using a form prepared by the Office of the Executive Secretary of the Supreme Court of Virginia.]*

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.

ENGROSSED

SB844E