

2009 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 844

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Stolle)

on February 4, 2009)

(Patron Prior to Substitute—Senator Marsh)

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

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. *At the time of sentencing, the sentencing court may, for good cause shown, suspend the accrual of interest on any judgment imposed by that court for a fine or costs during any period the defendant is actively incarcerated as a result of that case.*

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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