

2010 SESSION

INTRODUCED

10102501D

HOUSE BILL NO. 1004

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-370.7 and to repeal § 18.2-370.3 of the Code of Virginia, relating to sex offenses prohibiting residing in proximity to children; penalty.*

Patrons—Athey and Albo; Senator: Vogel

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-370.7 as follows:

§ 18.2-370.7. *Sex offenses prohibiting residing in proximity to children; penalty.*

A. *Every adult who is convicted of an offense requiring registration under the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.) where the victim of one of the offenses requiring registration was a minor, shall be forever prohibited from residing within 500 feet of the premises of any place he knows or has reason to know is a child day center as defined in § 63.2-100, a public, private, parochial, or Christian primary, secondary, or high school, a school bus stop, a community park or playground, recreation center, or a public pool. A violation of this section is a Class 6 felony.*

B. *An adult who is convicted of an offense as specified in subsection A and has established a lawful residence shall not be in violation of this section if a child day center, a public, private, parochial, or Christian primary, secondary, or high school, a school bus stop, a community park or playground, recreation center, or a public pool is established within 500 feet of his residence subsequent to his conviction.*

2. That § 18.2-370.3 of the Code of Virginia is repealed.

3. 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 is _____ for periods of imprisonment in state adult correctional facilities; therefore, Chapter 781 of the Acts of Assembly of 2009 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is _____ for periods of commitment to the custody of the Department of Juvenile Justice.

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