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**HOUSE BILL NO. 1049**

Offered January 13, 2010

Prefiled January 13, 2010

*A BILL to amend and reenact § 19.2-82.1 of the Code of Virginia, relating to failure to identify oneself to law-enforcement officer.*

Patrons—Garrett, Carrico, Miller, J.H. and Wright

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 19.2-82.1 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-82.1. Giving false identity or failure to identify oneself to law-enforcement officer; penalty.

A. Any person who falsely identifies himself to a law-enforcement officer with the intent to deceive the law-enforcement officer as to his real identity after having been lawfully detained and after being requested to identify himself by a law-enforcement officer, is guilty of a Class 1 misdemeanor.

B. A law-enforcement officer who (i) lawfully detains and questions a person under circumstances that reasonably indicate that the person has committed, is committing, or is about to commit a crime and (ii) explains to the person the reason why he is being detained and questioned may require that the person identify himself. Any such person who refuses to identify himself is guilty of a Class 1 misdemeanor.

INTRODUCED

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