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HOUSE BILL NO. 210

Offered January 13, 2010

Prefiled January 8, 2010

A BILL to amend and reenact § 18.2-59 of the Code of Virginia, relating to extortion by threat of injury to personal identity or financial security; penalty.

Patrons—Bulova, Kory, Plum, Scott, J.M. and Sickles; Senators: Marsden and Ticer

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-59 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-59. Extortion of money, property or pecuniary benefit.

Any person who (i) threatens injury to the character, person, or property of another person, (ii) accuses him of any offense, (iii) threatens to report him as being illegally present in the United States, (iv) *threatens injury to the personal identity or financial security of another through the release of identifying information set forth in clauses (iii) through (xiii) of subsection C of § 18.2-186.3*, or ~~(iv)~~ (v) knowingly destroys, conceals, removes, confiscates, withholds or threatens to withhold, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

2. 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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 781 of the 2009 Acts of Assembly 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 \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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