

10101033D

SENATE BILL NO. 397

Offered January 13, 2010

Prefiled January 13, 2010

A BILL to amend and reenact § 18.2-11 of the Code of Virginia, relating to misdemeanor fine schedule.

Patron—Wagner

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-11 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-11. Punishment for conviction of misdemeanor.

A. The authorized punishments for conviction of a misdemeanor are:

(a) For Class 1 misdemeanors, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both. *Until July 1, 2011, the fine shall be not more than \$2,500 and on and after July 1, 2011, the fine shall be the amount determined pursuant to subsection C.*

(b) For Class 2 misdemeanors, confinement in jail for not more than six months and a fine of not more than \$1,000, either or both. *Until July 1, 2011, the fine shall be not more than \$1,000 and on and after July 1, 2011, the fine shall be the amount determined pursuant to subsection C.*

(c) For Class 3 misdemeanors, a fine of not more than \$500. *Until July 1, 2011, the fine shall be not more than \$500 and on and after July 1, 2011, the fine shall be the amount determined pursuant to subsection C.*

(d) For Class 4 misdemeanors, a fine of not more than \$250. *Until July 1, 2011, the fine shall be not more than \$250 and on and after July 1, 2011, the fine shall be the amount determined pursuant to subsection C.*

B. For a misdemeanor offense prohibiting proximity to children as described in subsection A of § 18.2-370.2, the sentencing court is authorized to impose the punishment set forth in subsection B of that section in addition to any other penalty provided by law.

C. *Effective July 1, 2011, and every July 1 thereafter, the maximum fines existing on June 30 of such year shall be increased by a percentage approximately equal to the annual rate of inflation, if any, for the previous calendar year, as calculated by referring to the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics. The Executive Secretary of the Supreme Court shall determine the amount of such fines, may adjust the amount of the increase to a round number, and shall publish such fines on its website.*

INTRODUCED

SB397