

2011 SESSION

INTRODUCED

11102825D

HOUSE BILL NO. 2347

Offered January 12, 2011

Prefiled January 12, 2011

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

Patron—Morrissey

Referred to Committee for Courts of Justice

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~~ 40 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. *Interest on fines and costs imposed by other such judgments that have accrued for any period the defendant was incarcerated shall be purged upon submission of an affidavit to the court or the collection agency providing documentation of such incarceration using a form prepared by the Office of the Executive Secretary of the Supreme Court.* 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~~ 6.2-302.

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HB2347