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**HOUSE BILL NO. 2513**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice  
on February 4, 2011)

(Patron Prior to Substitute—Delegate Gilbert)

*A BILL to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to inherent authority to defer and dismiss.*

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

**1. That the Code of Virginia is amended by adding a section numbered 19.2-298.02 as follows:**

*§ 19.2-298.02. Deferred disposition in a criminal case.*

*No court shall have the authority, upon a plea of guilty or nolo contendere or after a plea of not guilty, when the facts found by the court would justify a finding of guilt, to defer proceedings or to defer entry of a final order of guilt or to dismiss the case upon completion of terms and conditions except as provided by statute. In no case shall the court defer entry of a final order of guilt for more than 60 days following conclusion of all of the evidence.*

**HOUSE SUBSTITUTE**

HB2513H1