

2011 SESSION

SENATE SUBSTITUTE

10104450D

SENATE BILL NO. 320

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 20, 2010)

(Patron Prior to Substitute—Senator Ruff)

A BILL to amend and reenact § 18.2-461 of the Code of Virginia, relating to falsely summoning or giving false reports to law-enforcement officials; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-461 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-461. Falsely summoning or giving false reports to law-enforcement officials.

It shall be unlawful for any person (i) to knowingly give a false report as to the commission of any crime to any law-enforcement official with intent to mislead, or (ii) without just cause and with intent to interfere with the operations of any law-enforcement official, to call or summon any law-enforcement official by telephone or other means, including engagement or activation of an automatic emergency alarm. Violation of the provisions of this section shall be punishable as a Class 1 misdemeanor. *Where it is alleged in the warrant, indictment, or information on which the person is convicted and admitted or found by the jury or judge before whom he is tried that he was previously convicted under this section, and the conviction occurred prior to the date that the instant offense was committed, the offense shall be punishable as a Class 6 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 is _____ for periods of imprisonment in state adult correctional facilities; therefore, Chapter 781 of the Acts of Assembly of 2009 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 _____ for periods of commitment to the custody of the Department of Juvenile Justice.

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