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HOUSE BILL NO. 750

Offered January 11, 2012

Prefiled January 11, 2012

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 a criminal case.

Patrons—Cline; Senator: Garrett

Referred to Committee for Courts of Justice

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.

INTRODUCED

HB750