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HOUSE BILL NO. 826

Offered January 11, 2012

Prefiled January 11, 2012

A BILL to amend and reenact § 18.2-362 of the Code of Virginia, relating to bigamy; penalty.

Patron—Marshall, R.G.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-362 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-362. Person marrying when husband or wife is living; penalty; venue.

If any person, being married, shall, during the life of the husband or wife, (i) marry *or purport to marry* another person in ~~this the~~ Commonwealth; or, if the marriage *or purported marriage* with such other person ~~take takes~~ place out of the Commonwealth, shall thereafter cohabit with such other person in ~~this the~~ Commonwealth; *or (ii) cohabit with another person in the Commonwealth under the appearance of being married*, he or she shall be guilty of a Class 4 felony. Venue for a violation of this section may be in the county or city where the subsequent marriage *or purported marriage* occurred or where the parties ~~to the subsequent marriage~~ cohabited.

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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 890 of the Acts of Assembly of 2011 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 cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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