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HOUSE BILL NO. 958

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 27, 2012)

(Patron Prior to Substitute—Delegate Bell, Robert B.)

A BILL to amend and reenact § 19.2-119 of the Code of Virginia, relating to bail determinations; certain information.

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-119 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-119. Definitions.

As used in this chapter:

"Bail" means the pretrial release of a person from custody upon those terms and conditions specified by order of an appropriate judicial officer.

"Bond" means the posting by a person or his surety of a written promise to pay a specific sum, secured or unsecured, ordered by an appropriate judicial officer as a condition of bail to assure performance of the terms and conditions contained in the recognizance.

"Criminal history" means records and data collected by criminal justice agencies or persons consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations or other formal charges, and any deposition arising therefrom, *and includes, where possible, any information regarding outstanding warrants for criminal violations of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) that is available through the Virginia Criminal Information Network maintained by the Department of State Police or the National Crime Information Center maintained by the Federal Bureau of Investigation.*

"Judicial officer" means, unless otherwise indicated, any magistrate serving the jurisdiction, any judge of a district court and the clerk or deputy clerk of any district court or circuit court within their respective cities and counties, any judge of a circuit court, any judge of the Court of Appeals and any justice of the Supreme Court of Virginia.

"Person" means any accused, or any juvenile taken into custody pursuant to § 16.1-246.

"Recognizance" means a signed commitment by a person to appear in court as directed and to adhere to any other terms ordered by an appropriate judicial officer as a condition of bail.

SENATE SUBSTITUTE

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