

## 2013 SESSION

INTRODUCED

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### HOUSE BILL NO. 1634

Offered January 9, 2013

Prefiled January 7, 2013

A *BILL to amend and reenact § 18.2-174 of the Code of Virginia, relating to impersonation of law-enforcement officer while committing additional act; penalty.*

Patron—Cosgrove (By Request)

Referred to Committee for Courts of Justice

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

**1. That § 18.2-174 of the Code of Virginia is amended and reenacted as follows:**

**§ 18.2-174. Impersonating officer.**

A. Any person who ~~shall falsely assume or exercise~~ *falsely assumes or exercises* the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or other peace officer, or who ~~shall falsely assume or pretend~~ *assumes or pretends* to be any such officer, ~~shall be deemed~~ *is* guilty of a Class 1 misdemeanor.

B. Any person who commits a violation of subsection A (i) while committing or attempting to commit a violation of § 18.2-61, 18.2-67.1, 18.2-67.2, 18.2-67.3, or 18.2-67.4 or (ii) while circumventing or bypassing, or attempting to circumvent or bypass, any security measures of any business, commercial building, or residence is guilty of 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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 3 of the Acts of Assembly of 2012, Special Session I, 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.**

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