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SENATE BILL NO. 1022

Offered January 9, 2013

Prefiled January 8, 2013

A *BILL to amend and reenact § 19.2-386.21 of the Code of Virginia, relating to forfeiture of contraband cigarettes.*

Patrons—Howell and Norment

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-386.21 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-386.21. Forfeiture of counterfeit and contraband cigarettes.

Counterfeit cigarettes possessed in violation of § 18.2-246.14 *and cigarettes possessed in violation of § 58.1-1017 or 58.1-1017.1* shall be subject to seizure, forfeiture, and destruction by the Virginia Alcoholic Beverage Control Board or any law-enforcement officer of the Commonwealth. All fixtures, equipment, materials, and personal property used in substantial connection with *(i) the sale or possession of counterfeit cigarettes in a knowing and intentional violation of Article 10 (§ 18.2-246.6 et seq.) of Chapter 6 of Title 18.2 or (ii) the sale or possession of cigarettes in a knowing and intentional violation of § 58.1-1017 or 58.1-1017.1* shall be subject to seizure and forfeiture according to the procedures contained in Chapter 22.1 (§ 19.2-386.1 et seq.) ~~of this title~~, applied mutatis mutandis.

INTRODUCED

SB1022