

13102139D

**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