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HOUSE BILL NO. 1493

Offered January 14, 2015

Prefiled January 5, 2015

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 4 of Title 18.2 a section numbered 18.2-50.3, relating to enticing, etc., real estate licensee with intent to commit certain felonies; penalty.*

Patrons—Miller, Yancey, DeSteph, Mason, Minchew and Webert

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 4 of Title 18.2 a section numbered 18.2-50.3 as follows:

§ 18.2-50.3. Enticing, etc., real estate licensee with intent to commit certain felonies; penalty.

It is unlawful for any person to entice, solicit, or request a real estate licensee who is licensed under Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 to enter any dwelling house in the licensee's professional capacity with the intent to commit a violation of § 18.2-31, 18.2-32, 18.2-32.1, 18.2-48, 18.2-51.2, 18.2-58, 18.2-58.1, 18.2-61, 18.2-67.1, or 18.2-67.2. A violation of this section shall constitute a separate and distinct felony and any person found guilty thereof shall be sentenced to a mandatory minimum term of imprisonment of 20 years for a first conviction and to a mandatory minimum term of 40 years for a second or subsequent conviction. Such punishment shall be separate and apart from, and shall be made to run consecutively with, any punishment received for the commission of the primary 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 2 of the Acts of Assembly of 2014, 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.

INTRODUCED

HB1493