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SENATE BILL NO. 234

Offered January 8, 2014

Prefiled January 3, 2014

A BILL to amend the Code of Virginia by adding a section numbered § 18.2-323.03, relating to operating a vehicle or vessel containing a false compartment; penalty.

Patron—Petersen

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 a section numbered 18.2-323.03 as follows:
§ 18.2-323.03. False compartments in a vehicle or vessel; penalty.

A. For the purposes of this section, "false or secret compartment" means any enclosure that is integrated into or attached to a vehicle or vessel, the purpose of which is to conceal, hide, or prevent the discovery by law-enforcement officers of a person concealed for an unlawful purpose, controlled substances possessed in violation of Article 1 (§ 18.2-247 et seq.) of Chapter 7, or other contraband.

B. It is unlawful for any person to knowingly own or operate any vehicle or vessel containing a false or secret compartment.

C. It is unlawful for any person to knowingly install, create, build, or fabricate in any vehicle or vessel a false or secret compartment.

D. It is unlawful for any person to knowingly sell, trade, or otherwise dispose of any vehicle or vessel containing a false or secret compartment.

E. A person who violates subsection B, C, or D is guilty of a Class 6 felony.

F. Any vehicle or vessel containing a false or secret compartment in violation of this section shall be subject to civil forfeiture to the Commonwealth. The forfeiture proceeding shall be conducted pursuant to the provisions of Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2.

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 806 of the Acts of Assembly of 2013 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

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