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**HOUSE BILL NO. 602**

Offered January 13, 2016

Prefiled January 11, 2016

A *BILL to amend and reenact § 18.2-104 of the Code of Virginia, relating to petit larceny; prior convictions; penalty.*

Patron—Bell, Robert B.

Referred to Committee for Courts of Justice

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

**1. That § 18.2-104 of the Code of Virginia is amended and reenacted as follows:**

**§ 18.2-104. Punishment for conviction of petit larceny.**

~~When a person is convicted of~~ *Upon conviction of a person for an offense of petit larceny or any offense deemed to be or punished as petit larceny under any provision of the Code, and where it is alleged in the warrant, indictment, or information on which he is convicted, and admitted, or found by the jury or judge before whom he is tried, that he has been before previously convicted in the Commonwealth of Virginia or in another jurisdiction for any offense of (i) petit or grand larceny or any offense deemed or punishable as petit or grand larceny, (ii) any offense under Article 5 (§ 18.2-58 et seq.) of Chapter 4, or of (iii) any substantially similar offense in any other jurisdiction, regardless of whether the prior convictions were misdemeanors, felonies or a combination thereof, he such person shall be confined in jail not less than thirty 30 days nor more than twelve 12 months; and for a third, or any subsequent offense, he shall be. Upon conviction of a person for an offense of petit larceny or any offense deemed to be or punished as petit larceny, where it is alleged in the warrant, indictment, or information on which he is convicted that he has been previously convicted of two or more of the offenses set forth in clause (i), (ii), or (iii), such person 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 is \$76,852 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

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