

2017 SESSION

HOUSE SUBSTITUTE

17106014D

HOUSE BILL NO. 1791

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor
on March 24, 2017)

(Patron Prior to Substitute—Delegate Lingamfelter)

A BILL to amend and reenact § 18.2-408 of the Code of Virginia, relating to conspiracy; incitement, etc., to riot; public safety personnel; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-408 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-408. Conspiracy; incitement, etc., to riot.

Any person who conspires with others to cause or produce a riot, or directs, or incites, or solicits other persons who participate in a riot to acts of force or violence, shall be guilty of a Class 5 felony. Any person who commits a conspiracy that intentionally selects the person against whom the riot is aimed because he is a law-enforcement officer as defined in § 9.1-101, firefighter as defined in § 65.2-102, volunteer firefighter who is employed by or is a member of a bona fide volunteer fire department, emergency medical services personnel as defined in § 32.1-111.1, or member of the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code is guilty of a Class 3 felony. Any person who commits a conspiracy that intentionally selects the person against whom the riot is aimed because of race, religious convictions, color, sexual orientation, or national origin is guilty of a Class 3 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 \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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