

2018 SESSION

INTRODUCED

18101159D

HOUSE BILL NO. 201

Offered January 10, 2018

Prefiled December 28, 2017

A BILL to amend and reenact § 19.2-305.2 of the Code of Virginia, relating to restitution; enforcement.

Patron—Mullin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-305.2 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-305.2. Amount of restitution; enforcement.

A. The court, when ordering restitution pursuant to § 19.2-305.1, may require that such defendant, in the case of an offense resulting in damage to or loss or destruction of property of a victim of the offense, (i) return the property to the owner or (ii) if return of the property is impractical or impossible, pay an amount equal to the greater of the value of the property at the time of the offense or the value of the property at the time of sentencing.

B. An order of restitution may be docketed as provided in § 8.01-446 when so ordered by the court or upon written request of the victim and may be enforced by a victim named in the order to receive the restitution in the same manner as a judgment in a civil action. *Enforcement by a victim of any order of restitution docketed as provided in § 8.01-446 is not subject to any statute of limitations.* Such docketing shall not be construed to prohibit the court from exercising any authority otherwise available to enforce the order of restitution.

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