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HOUSE BILL NO. 478

Offered January 10, 2018

Prefiled January 7, 2018

A *BILL to amend the Code of Virginia by adding in Article 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.6, relating to domestic violence-related misdemeanors; enhanced penalty.*

Patron—Reid

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 6 of Chapter 4 of Title 18.2 a section numbered 18.2-60.6 as follows:

§ 18.2-60.6. *Enhanced penalty for conviction of certain misdemeanor offenses related to domestic violence or stalking.*

When a person is convicted of an offense under § 16.1-253.2, 18.2-57.2, 18.2-60.3, or 18.2-60.4 that would otherwise be a misdemeanor and it is alleged in the warrant, information, or indictment on which the person is convicted and found by the court or jury trying the case that the person has previously been convicted within the 20-year period immediately preceding the offense charged of an offense under § 16.1-253.2, Article 4 (§ 18.2-51 et seq.), or § 18.2-60.3 or 18.2-60.4, and that the victim of the prior offense was the same person who is the victim of the instant offense, the person convicted 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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 836 of the Acts of Assembly of 2017 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 is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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