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HOUSE BILL NO. 2554

Offered January 9, 2019

Prefiled January 9, 2019

A *BILL to amend the Code of Virginia by adding a section numbered 17.1-805.1, relating to discretionary sentencing guideline midpoints; act of domestic terrorism enhancement.*

Patrons—Price, Aird, Lopez and Watts

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 17.1-805.1 as follows:

§ 17.1-805.1. Discretionary sentencing guideline midpoints; act of domestic terrorism.

A. *For purposes of this section, an act of domestic terrorism includes any violation that is an act of violence as defined in § 19.2-297.1 or any felony violation of § 18.2-52, 18.2-52.1, 18.2-53, 18.2-53.1, 18.2-56.1, 18.2-57, 18.2-83, 18.2-108.1, 18.2-121, 18.2-127, 18.2-128, 18.2-138, 18.2-146, 18.2-147, 18.2-186.4, 18.2-279, 18.2-282, 18.2-282.1, 18.2-287.4, 18.2-289, 18.2-300, 18.2-308.1, 18.2-308.2, 18.2-308.2:01, 18.2-312, 18.2-423, 18.2-423.01, 18.2-423.1, or 18.2-423.2, with the intent to (i) intimidate or coerce a civilian population, (ii) influence the policy of a local, state, or federal government by intimidation or coercion, or (iii) disrupt the conduct or workings of a local, state, or federal government.*

B. *In addition to any increases in the midpoint of an initial recommended sentencing range calculated in accordance with § 17.1-805, the midpoint of the recommended sentencing range for any act of domestic terrorism shall be further increased by 200 percent in all cases.*

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 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2018, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB2554