

2020 SESSION

INTRODUCED

20101978D

HOUSE BILL NO. 163

Offered January 8, 2020

Prefiled December 23, 2019

A BILL to amend and reenact §§ 16.1-69.24, 18.2-457, and 18.2-458 of the Code of Virginia, relating to contempt of court; penalty.

Patron—Cole, M.L. (By Request)

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-69.24, 18.2-457, and 18.2-458 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-69.24. Contempt of court; penalty.

A. A judge of a district court shall have the same powers and jurisdiction as a judge of a circuit court to punish summarily for contempt, but in no case shall the fine exceed \$250 and imprisonment exceed 30 days for the same contempt. From any such fine or sentence, there shall be an appeal of right within the period prescribed in this title and to the court or courts designated therein for appeals in other cases, and the proceedings on such appeal shall conform in all respects to the provisions of §§ 18.2-456 through 18.2-459.

B. Any person charged with a felony offense, misdemeanor offense, or released on a summons pursuant to § 19.2-73 or 19.2-74 who fails to appear before any court or judicial officer as required shall not be punished for contempt under this provision but may be punished for such contempt under subdivision A 6 of § 18.2-456.

§ 18.2-457. Fine and imprisonment by court limited unless jury impaneled.

No court shall, without a jury, for any such contempt as is mentioned in the first class embraced in § 18.2-456, impose a fine exceeding \$250 or imprison more than ten 30 days, but in any such case the court may, without an indictment, information, or any formal pleading, impanel a jury to ascertain the fine or imprisonment proper to be inflicted or a term of imprisonment not to exceed 30 days and may give judgment according to the verdict.

§ 18.2-458. Power of judge of district court to punish for contempt.

A judge of a district court shall have the same power and jurisdiction as a judge of a circuit court to punish summarily for contempt, but in no case shall the fine exceed \$250, or the imprisonment exceed ten 30 days, for the same contempt.

INTRODUCED

HB163