

2020 SPECIAL SESSION I

INTRODUCED

20200195D

SENATE BILL NO. 5055

Offered August 18, 2020

Prefiled August 17, 2020

A BILL to amend and reenact § 18.2-423.1 of the Code of Virginia, relating to placing swastika on certain property with intent to intimidate; penalty.

Patron—Reeves

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-423.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-423.1. Placing swastika on certain property with intent to intimidate; penalty; prima facie evidence of intent.

It shall be unlawful for any person or persons, with the intent of intimidating another person or group of persons, to place or cause to be placed a swastika on any church, synagogue, or other building or place used for religious worship, or on ~~any school, educational facility or community center owned or operated by a church or religious body~~ *the property of another, a highway, or other public place.*

A violation of this section shall be punishable as a ~~Class 6 felony~~ *Class 4 felony*.

For the purposes of this section, any such placing of a swastika shall be prima facie evidence of an intent to intimidate another person or group of persons.

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 1289 of the Acts of Assembly of 2020 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.

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