

2021 SPECIAL SESSION I

SENATE SUBSTITUTE

21200240D

HOUSE BILL NO. 1936

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary
on February 15, 2021)

(Patron Prior to Substitute—Delegate Watts)

A BILL to amend and reenact § 18.2-58 of the Code of Virginia, relating to robbery; penalties.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-58 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-58. Robbery; penalties.

~~If any~~ A. For the purposes of this section, "serious bodily injury" means the same as that term is defined in § 18.2-51.4.

B. Any person ~~commit~~ who commits robbery by ~~partial strangulation, or suffocation, or by striking or beating, or by other violence to the person, or by assault or otherwise putting a person in fear of serious bodily harm, or by the threat or presenting of firearms, or other deadly weapon or instrumentality~~ ~~whatsoever, he shall be~~ is guilty of a felony and shall be punished by confinement in a state correctional facility for life or any term not less than five years as follows:

1. Any person who commits robbery and causes serious bodily injury to or the death of any other person is guilty of a Class 2 felony.

2. Any person who commits robbery by using or displaying a firearm, as defined in § 18.2-308.2:2, in a threatening manner is guilty of a Class 3 felony.

3. Any person who commits robbery by using physical force not resulting in serious bodily injury or by using or displaying a deadly weapon other than a firearm in a threatening manner is guilty of a Class 5 felony.

4. Any person who commits robbery by using threat or intimidation or any other means not involving a deadly weapon 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 of the Code of Virginia, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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