

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 438

An Act to amend and reenact §§ 19.2-340 and 19.2-341 of the Code of Virginia, relating to recovery of fines for violation of ordinances.

[H 1833]

Approved March 20, 1995

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-340 and 19.2-341 of the Code of Virginia are amended and reenacted as follows:

§ 19.2-340. Fines; how recovered; in what name.

When any statute *or ordinance* prescribes a fine, unless it ~~be~~ *is* otherwise expressly provided or would be inconsistent with the manifest intention of the General Assembly, it shall be *paid* to the Commonwealth *if prescribed by a statute* and recoverable by presentment, indictment, information or warrant *and paid to the locality if prescribed by an ordinance and recoverable by warrant* . Fines imposed and costs taxed in a criminal *or traffic* prosecution , *including a prosecution for a violation of an ordinance adopted pursuant to § 46.2-1220*, for committing an offense ~~against the Commonwealth~~ shall constitute a judgment ~~in favor of the Commonwealth~~, and, if not paid at the time they are imposed, execution may issue thereon in the same manner as upon any other monetary judgment , *subject to the period of limitations provided by § 19.2-341.*

§ 19.2-341. Penalties other than fines; how recovered; in what name; limitation of actions.

When any statute *or ordinance* prescribes a monetary penalty other than a fine, unless it ~~be~~ *is* otherwise expressly provided or would be inconsistent with the manifest intention of the General Assembly, it shall be *paid* to the Commonwealth *if prescribed by a statute and paid to the locality if prescribed by an ordinance* and recoverable by warrant, presentment, indictment, or information. Penalties imposed and costs taxed in any such proceeding shall constitute a judgment ~~in favor of the Commonwealth~~, and, if not paid at the time they are imposed, execution may issue thereon in the same manner as upon any other monetary judgment. No such proceeding of any nature, however, shall be brought or had for the recovery of such a penalty or costs due the Commonwealth or any political subdivision thereof, unless within twenty years from the date of the offense or delinquency giving rise to imposition of such penalty if imposed by a circuit court, or within ten years if imposed by a general district court.