

LD8561322

## HOUSE BILL NO. 2013

Offered January 23, 1995

A BILL to amend and reenact § 19.2-222 of the Code of Virginia, relating to indictment for perjury or subornation of perjury; sufficiency of statement.

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Patron—Kilgore

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 19.2-222 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-222. What sufficient statement in indictment for perjury or subornation of perjury.

In an indictment or accusation for perjury or subornation of perjury it shall be sufficient to state the substance of the offense charged against the accused, in what court or by whom the oath was administered which is charged to have been falsely taken, and to aver that such court or person had competent authority to administer the same, together with proper averments to falsify the matter wherein the perjury is assigned, without setting forth any part of any record or proceeding at law or equity, or the commission or authority of the court or person before whom the perjury was committed; ~~but~~. *If a defendant is prosecuted on the basis of testimony given in any proceeding other than before a regular grand jury, special grand jury or a multi-jurisdiction grand jury, then nothing herein shall be construed to allow, without the consent of the accused, a part only of any record, proceeding or writing to be given in evidence on the trial of such indictment or accusation. If a defendant is prosecuted on the basis of testimony given before a regular grand jury, a special grand jury or a multi-jurisdiction grand jury investigation, then it is sufficient that only those portions of the proceeding or transcript that are relevant and material be admitted.* A distinct allegation, averment or statement in any part of the indictment that the defendant did corruptly swear falsely, or did, on the occasion mentioned in the indictment, commit willful perjury, shall be a sufficient allegation of the falsity of the oath alleged to have been taken.

In indictments or accusations under § 18.2-435 it shall be unnecessary to allege which statement made by the accused was false, but the other requirements set forth in the foregoing paragraph shall be followed as closely as consistency will permit, identifying each of the circumstances under which the statements of the accused were made.

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