

1995 SESSION

INTRODUCED

LD4928350

HOUSE BILL NO. 2277

Offered January 23, 1995

A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to right to bail of certain arrestees.

Patrons—McDonnell, Albo, Cantor, Croshaw, Hargrove, Howell, Ingram, Mims, O'Brien, Purkey, Reid, Rhodes, Ruff, Wagner and Wardrup; Senator: Stolle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-120 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-120. Right to bail; use of bond to satisfy fines and costs.

An accused, or juvenile taken into custody pursuant to § 16.1-246 who is held in custody pending trial or hearing for an offense, civil or criminal contempt, or otherwise shall be admitted to bail by a judicial officer as defined in § 19.2-119, unless there is probable cause to believe that:

1. He will not appear for trial or hearing or at such other time and place as may be directed, or

2. His liberty will constitute an unreasonable danger to himself or the public.

There shall be a rebuttable presumption that the liberty of an accused or juvenile taken into custody pursuant to § 16.1-246 for the suspected commission of a crime against a person constitutes an unreasonable danger to himself or to the public if he is at the time of his placement in custody already admitted to bail for suspected commission of a crime against a person or on probation or parole for the commission of a crime against a person.

The judicial officer shall inform the accused or juvenile of his right to appeal from the order denying bail or fixing terms of bond or recognizance consistent with § 19.2-124.

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HB2277