

# 1996 SESSION

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## HOUSE BILL NO. 1099

Offered January 22, 1996

*A BILL to amend the Code of Virginia by adding a section numbered 18.2-52.1, relating to possession or release of hazardous infectious substances; penalty.*

Patrons—Plum and Almand; Senator: Howell

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-52.1 of the Code of Virginia is amended by adding a section numbered 18.2-52.1 as follows:**

*§ 18.2-52.1. Possession of infectious biological substances.*

*A. Any person who possesses, with the intent to injure another, an infectious biological substance capable of causing death, is guilty of a Class 5 felony. If such person, with the intent to injure, causes bodily injury to another person by exposure to the substance, he is guilty of a Class 4 felony. If such person, with the intent to injure, causes the death of another person by exposure to the substance, he is guilty of a Class 2 felony.*

*B. Any person who, with the intent to injure another, destroys or damages, or attempts to destroy or damage, any facility, equipment or material involved in the sale, manufacturing, storage or distribution of an infectious biological substance capable of causing death, the destruction or damage of which might, in any manner, threaten the release of such substance beyond the areas in which it is normally used or contained, is guilty of a Class 4 felony. If the destruction or damage, with the intent to injure another, results in the release of the substance and in bodily injury to another by exposure of the substance, he is guilty of a Class 3 felony. If the destruction or damage, with the intent to injure another, results in the release of the substance and in the death of another by exposure to the substance, he is guilty of a Class 2 felony.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.**

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