

1996 SESSION

INTRODUCED

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HOUSE BILL NO. 264

Offered January 10, 1996

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-313.2, relating to failure to advise a law-enforcement officer of a concealed needle; penalty.*

Patron—May

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-313.2 as follows:

§ 18.2-313.2. Failure to advise law-enforcement officers of a concealed needle; penalty.

Any person pursuant to a lawful search by a law-enforcement officer, upon being (i) asked by such officer whether he is carrying a concealed needle or needles on his person and (ii) advised by such officer of the penalty for failing to tell the officer if he has a concealed needle or needles on his person, who then fails to tell the officer that he has such a needle or needles concealed on his person, shall be guilty of a Class 6 felony.

No person shall be prosecuted or subject to any penalty or forfeiture for or on account of his disclosure of a concealed needle, including a prosecution, penalty or forfeiture based on the knowledge of or the presence of a needle on the defendant. Nor shall any evidence or any other information derived directly or indirectly from such disclosure be used against that person in any prosecution or forfeiture proceeding or subject that person to any penalty of law.

For the purposes of this section, a "needle" is any hypodermic needle whether it is or is not attached to a syringe.

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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