

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-31 of the Code of Virginia, relating to capital murder.*

3 [S 15]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 18.2-31 of the Code of Virginia is amended and reenacted as follows:**

7 § 18.2-31. Capital murder defined; punishment.

8 The following offenses shall constitute capital murder, punishable as a Class 1 felony:

9 1. The willful, deliberate, and premeditated killing of any person in the commission of abduction, as  
10 defined in § 18.2-48, when such abduction was committed with the intent to extort money or a  
11 pecuniary benefit *or with the intent to defile the victim of such abduction*;

12 2. The willful, deliberate, and premeditated killing of any person by another for hire;

13 3. The willful, deliberate, and premeditated killing of any person by a prisoner confined in a state or  
14 local correctional facility as defined in § 53.1-1, or while in the custody of an employee thereof;15 4. The willful, deliberate, and premeditated killing of any person in the commission of robbery or  
16 attempted robbery while armed with a deadly weapon;17 5. The willful, deliberate, and premeditated killing of any person in the commission of, or subsequent  
18 to, rape or attempted rape, forcible sodomy or attempted forcible sodomy or object sexual penetration;19 6. The willful, deliberate, and premeditated killing of a law-enforcement officer as defined in § 9-169  
20 (9) when such killing is for the purpose of interfering with the performance of his official duties;21 7. The willful, deliberate, and premeditated killing of more than one person as a part of the same act  
22 or transaction; *and*23 8. ~~The willful, deliberate, and premeditated killing of a child under the age of twelve years in the~~  
24 ~~commission of abduction as defined in § 18.2-48 when such abduction was committed with the intent to~~  
25 ~~extort money or a pecuniary benefit, or with the intent to defile the victim of such abduction; and~~26 9. The willful, deliberate, and premeditated killing of any person in the commission of or attempted  
27 commission of a violation of § 18.2-248, involving a Schedule I or II controlled substance, when such  
28 killing is for the purpose of furthering the commission or attempted commission of such violation.29 If any one or more subsections, sentences, or parts of this section shall be judged unconstitutional or  
30 invalid, such adjudication shall not affect, impair, or invalidate the remaining provisions thereof but shall  
31 be confined in its operation to the specific provisions so held unconstitutional or invalid.32 **2. That the provisions of this act may result in a net increase in periods of imprisonment in state**  
33 **correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation**  
34 **for this bill as originally introduced is \$ 0.**

ENROLLED

SBISER