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## SENATE BILL NO. 24

Senate Amendments in [ ] — February 12, 1996

A BILL to amend the Code of Virginia by adding a section numbered 18.2-64.2, and to repeal § 18.2-64.1 of the Code of Virginia, relating to carnal knowledge of confined persons; penalty.

Patrons—Stolle; Delegate: Wardrup

Referred to the 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 18.2-64.2 as follows:

§ 18.2-64.2. Carnal knowledge of confined persons or persons under supervision.

[ ~~Any~~ Except as provided in § 18.2-63, any ] person providing custody, services, or supervision, either paid or unpaid, to persons committed to or under the supervision of the Department of Corrections or the Department of Youth and Family Services as an inmate, probationer (including informal supervision as part of a diversion program) or parolee, who has carnal knowledge, without the use of force or intimidation, of an inmate, probationer, or parolee when such inmate, probationer, or parolee is under the custody or supervision of such person, or receiving services from such person, shall be guilty of a Class [ 4 6 ] felony.

For the purposes of this section, "carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anallungus, anal intercourse, and animate and inanimate object sexual penetration.

## 2. That § 18.2-64.1 of the Code of Virginia is repealed.

## 3. 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. ]

ENGROSSED

SB24E