

1997 SESSION

INTRODUCED

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HOUSE BILL NO. 2207

Offered January 16, 1997

A BILL to amend and reenact § 18.2-163 of the Code of Virginia, relating to tampering with electric meter; penalty.

Patrons—Bloxom; Senator: Norment

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-163 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-163. Tampering with metering device; diverting service; civil liability.

A. Any person who (i) tampers with any metering device incident to the facilities set forth in § 18.2-162, or otherwise; (ii) intentionally prevents such a metering device from properly registering the degree, amount or quantity of service supplied; or (iii) diverts such service, except telephonic or electronic extension service not owned or controlled by any such company, without authorization from the owner of the facility furnishing the service to the public, shall be guilty of a Class 1 misdemeanor.

B. ~~The presence of any metering device found to have been altered, tampered with, or bypassed~~ Any violation of subsection A committed in a manner that would cause the metering device to inaccurately measure and register the degree, amount or quantity of service supplied or which would cause the service to be diverted from the recording apparatus of the meter shall be prima facie evidence of intent to violate and of the violation of this section by the person to whose benefit it is that such service be unmetered, unregistered or diverted.

C. The court may order restitution for the value of the services unlawfully used, if any, and for all costs. Such costs shall be limited to actual expenses, including the base wages of employees acting as witnesses for the Commonwealth, and suit costs. However, the total amount of allowable costs granted hereunder shall not exceed \$250, excluding the value of the service.

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