

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 of a police*
3 *officer; penalty.*

4
5 Approved

[S 774]

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

7 **1. That § 18.2-31 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-31. Capital murder defined; punishment.

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

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

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

14 3. The willful, deliberate, and premeditated killing of any person by a prisoner confined in a state or
15 local correctional facility as defined in § 53.1-1, or while in the custody of an employee thereof;

16 4. The willful, deliberate, and premeditated killing of any person in the commission of robbery or
17 attempted robbery;

18 5. The willful, deliberate, and premeditated killing of any person in the commission of, or subsequent
19 to, rape or attempted rape, forcible sodomy or attempted forcible sodomy or object sexual penetration;

20 6. The willful, deliberate, and premeditated killing of a law-enforcement officer as defined in § 9-169
21 (9) or any law-enforcement officer of another state or the United States having the power to arrest for a
22 felony under the laws of such state or the United States, when such killing is for the purpose of
23 interfering with the performance of his official duties;

24 7. The willful, deliberate, and premeditated killing of more than one person as a part of the same act
25 or transaction;

26 8. The willful, deliberate, and premeditated killing of more than one person within a three-year
27 period; and

28 9. The willful, deliberate, and premeditated killing of any person in the commission of or attempted
29 commission of a violation of § 18.2-248, involving a Schedule I or II controlled substance, when such
30 killing is for the purpose of furthering the commission or attempted commission of such violation.

31 If any one or more subsections, sentences, or parts of this section shall be judged unconstitutional or
32 invalid, such adjudication shall not affect, impair, or invalidate the remaining provisions thereof but shall
33 be confined in its operation to the specific provisions so held unconstitutional or invalid.

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

ENROLLED

SB774ER