

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 281

*An Act to amend and reenact § 18.2-32 of the Code of Virginia, relating to first and second degree murder; penalty.*

[S 222]

Approved April 8, 1998

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

**1. That § 18.2-32 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-32. First and second degree murder defined; punishment.

Murder, other than capital murder, by poison, lying in wait, imprisonment, starving, or by any willful, deliberate, and premeditated killing, or in the commission of, or attempt to commit, arson, rape, forcible sodomy, inanimate *or animate* object sexual penetration, robbery, burglary or abduction, except as provided in § 18.2-31, is murder of the first degree, punishable as a Class 2 felony.

All murder other than capital murder and murder in the first degree is murder of the second degree and is punishable by confinement in a state correctional facility for not less than five nor more than forty years.

**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.**