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1 **SENATE BILL NO. 711**
2 Offered January 28, 1998
3 *A BILL to amend the Code of Virginia by adding a section numbered 19.2-8.1, relating to deferral,*
4 *discharge and dismissal in criminal cases.*
5 —————
6 Patron—Gartlan
7 —————
8 Consent to introduce
9 —————
10 Referred to the Committee for Courts of Justice
11 —————
12 **Be it enacted by the General Assembly of Virginia:**
13 **1. That the Code of Virginia is amended by adding a section numbered 19.2-8.1 as follows:**
14 *§ 19.2-8.1. Authority to defer, discharge and dismiss in traffic cases.*
15 *At any time before entry of a plea of guilty or not guilty in a traffic case, if the facts found by the*
16 *court would justify a finding of guilt, without entering a judgment of guilt and with the consent of the*
17 *accused, the court may defer further proceedings, place the defendant on probation and impose such*
18 *terms and conditions upon the defendant as to the court seem proper under the circumstances of the*
19 *case. Upon violation of a term of condition, the court may enter an adjudication of guilt and proceed*
20 *with the case as otherwise provided. Upon fulfillment of the terms and conditions, the court shall*
21 *discharge the person and dismiss the proceedings.*
22 *Discharge and dismissal under this section shall be without adjudication of guilt and shall be a*
23 *conviction only for the purposes of applying this section in a subsequent proceeding.*