

2006 SESSION

INTRODUCED

063026396

HOUSE BILL NO. 205

Offered January 11, 2006

Prefiled January 3, 2006

A BILL to amend the Code of Virginia by adding a section numbered 18.2-370.3, relating to limitations on residence location of violent sex offenders; penalties.

Patrons—Marshall, R.G., Albo, Athey, Byron, Cosgrove, Fralin, Gear, Landes, Lingamfelter, Marshall, D.W., O'Bannon, Oder and Wright

Referred to 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 18.2-370.3 as follows:

§ 18.2-370.3. Sex offenses prohibiting residence in proximity to schools.

Every adult and every juvenile tried as an adult who is convicted of a sexually violent offense as defined in § 9.1-902 shall be forever prohibited from maintaining a permanent residence that is less than 1,000 linear feet from any real property he knows or has reason to know is the site of a primary, secondary or high school.

For the purposes of this section only, "maintaining a permanent residence" means residing at one location or address for more than 21 consecutive days.

A violation of this section is a Class 1 misdemeanor. A second or subsequent violation of this section is a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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