

2008 SESSION

INTRODUCED

086904404

HOUSE BILL NO. 159

Offered January 9, 2008

Prefiled December 21, 2007

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 2 of Title 18.2 a section numbered 18.2-109.1, relating to necessary proof that property is stolen.

Patron—Albo

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 in Article 3 of Chapter 2 of Title 18.2 a section numbered 18.2-109.1 as follows:

§ 18.2-109.1. Proof of knowledge that property is stolen.

Whenever proof of an offense under this article requires proof that any property in the possession of a person was known by that person to be embezzled, stolen, converted, unlawfully taken, altered, counterfeited, falsely made, forged, or disguised, it may be established by proof that the person, after or as a result of receiving an official representation as to the nature of the property, believed the property to be embezzled, stolen, converted, unlawfully taken, altered, counterfeited, falsely made, forged, or disguised.

"Official representation" means a representation made by a law-enforcement officer or by another person at the direction or with the approval of a law-enforcement officer to a person charged with possession of embezzled, stolen, converted, unlawfully taken, altered, counterfeited, falsely made, forged, or disguised property.

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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