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**HOUSE BILL NO. 243**

Offered January 13, 2010

Prefiled January 11, 2010

A *BILL to amend and reenact § 18.2-19 of the Code of Virginia, relating to accessories after the fact; capital murder; penalty.*

Patron—Janis

Referred to Committee for Courts of Justice

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

**1. That § 18.2-19 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-19. How accessories after the fact punished; certain exceptions.

In the case of every felony, *except capital murder as defined in § 18.2-31*, every accessory after the fact ~~shall be~~ *is* guilty of a Class 1 misdemeanor; provided, however, no person in the relation of husband or wife, parent or grandparent, child or grandchild, brother or sister, by consanguinity or affinity, or servant to the offender, who, after the commission of a felony, shall aid or assist a principal felon or accessory before the fact to avoid or escape from prosecution or punishment, shall be deemed an accessory after the fact.

*In the case of capital murder, every accessory after the fact is guilty of 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; therefore, Chapter 781 of the Acts of Assembly of 2009 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

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