

2012 SESSION

HOUSE SUBSTITUTE

12105701D

SENATE BILL NO. 459

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 27, 2012)

(Patron Prior to Substitute—Senator Herring)

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-51.6, relating to strangulation; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-51.6 as follows:

§ 18.2-51.6. Strangulation of another; penalty.

Any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally and unlawfully applying pressure to the neck of such person, resulting in the wounding or bodily injury of such person is guilty of strangulation, 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 890 of the Acts of Assembly of 2011 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.

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