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## HOUSE BILL NO. 1955

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice  
on January 25, 2013)

(Patron Prior to Substitute—Delegate Landes)

A BILL to amend and reenact §§ 15.2-1612, 18.2-174, and 18.2-174.1 of the Code of Virginia, relating to impersonating a law-enforcement officer or other public safety personnel; penalty.

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1612, 18.2-174, and 18.2-174.1 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-1612. Wearing of same or similar uniforms by unauthorized persons; penalty.

Any unauthorized person who wears a uniform identical to or substantially similar to a standard uniform used by an office of sheriff in accordance with § 15.2-1610 with the intent to deceive a casual observer or with the intent to impersonate the office of sheriff, ~~shall be~~ is guilty of a Class 3 misdemeanor. A second or subsequent offense is punishable as a Class 6 felony.

For purposes of this section, "substantially similar" means so similar in appearance as to be likely to deceive the casual observer.

§ 18.2-174. Impersonating law-enforcement officer; penalty.

Any person who ~~shall falsely assume or exercise~~ assumes or exercises the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or other peace officer, or who ~~shall falsely assume or pretend~~ assumes, or pretends, to be any such officer, ~~shall be deemed~~ is guilty of a Class 1 misdemeanor. A second or subsequent offense is punishable as a Class 6 felony.

§ 18.2-174.1. Impersonating certain public safety personnel; penalty.

Any person who willfully impersonates, with the intent to make another believe he is, a certified emergency medical services personnel, firefighter, ~~including any~~ special forest warden designated pursuant to § 10.1-1135, fire marshal, or fire chief is guilty of a Class 1 misdemeanor. A second or subsequent offense is punishable as 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 is \$4,048 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.