

13105251D

SENATE BILL NO. 1144

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 18, 2013)

(Patron Prior to Substitute—Senator McEachin)

A BILL to amend and reenact § 18.2-118 of the Code of Virginia, relating to fraudulent conversion or removal of leased personal property.

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-118 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-118. Fraudulent conversion or removal of leased personal property.**

(a) A. Whenever any person is in possession or control of any personal property, by virtue of or subject to a written lease of such property, except property described in § 18.2-117, and such person so in possession or control shall, with intent to defraud, sell, secrete, or destroy the property, or dispose of the property for his own use, or fraudulently remove the same from the Commonwealth without the written consent of the lessor thereof, or fail to return such property to the lessor thereof within ~~ten~~ 30 days after expiration of the lease or rental period for such property stated in such written lease, he shall be deemed guilty of the larceny thereof.

(b) B. The fact that such person signs the lease or rental agreement with a name other than his own, or fails to return such property to the lessor thereof within ~~ten~~ 30 days after the giving of written notice to such person that the lease or rental period for such property has expired, shall be prima facie evidence of intent to defraud. For purposes of this section, notice mailed by certified mail and addressed to such person at the address of the lessee stated in the lease, shall be sufficient giving of written notice under this section.

(c) C. The venue of prosecution under this section shall be the county or city in which such property was leased or in which such accused person last had a legal residence.