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HOUSE BILL NO. 1178

Offered January 16, 2014

A *BILL to amend and reenact § 18.2-121 of the Code of Virginia, relating to trespass; physical interference with rights of owner; penalty.*

Patron—Pogge

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-121 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-121. Entering property of another for purpose of damaging it, etc.**

It shall be unlawful for any person to enter the land, dwelling, outhouse, or any other building of another for the purpose of damaging such property or any of the contents thereof or in any manner to *physically* interfere with the rights of the owner, user, or ~~the~~ occupant thereof to use such property free from *such physical* interference.

Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor. However, if a person intentionally selects the property entered because of the race, religious conviction, color or national origin of the owner, user, or occupant of the property, the person shall be guilty of a Class 6 felony, and the penalty upon conviction shall include a term of confinement of at least six months, 30 days of which shall be a mandatory minimum term of confinement.

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 \$0 for periods of imprisonment in state adult correctional facilities and \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB1178