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HOUSE BILL NO. 1505

Offered January 14, 2015

Prefiled January 5, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-370.2:1, relating to sex offenses prohibiting proximity to victims of the offense penalty.*

Patron—Albo

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 18.2-370.2:1 as follows:****§ 18.2-370.2:1. Sex offenses prohibiting proximity to the victim of the offense; penalty.**

A. For purposes of this section "offense prohibiting proximity to the victim of the offense" means a violation or an attempt to commit a violation of clause (ii) or (iii) of § 18.2-48, § 18.2-61, 18.2-63, 18.2-64.1, 18.2-67.1, 18.2-67.2, or 18.2-67.3, subsection B of § 18.2-361, subsection B of § 18.2-366, or § 18.2-370, 18.2-370.1, 18.2-374.1, 18.2-374.1:1, 18.2-374.3, 18.2-374.4, or 18.2-379.

B. Every adult who is convicted of an offense prohibiting proximity to the victim of the offense when the offense occurred on or after July 1, 2015, shall be forever prohibited from (i) knowingly having any contact with the victim and (ii) residing within 1,000 feet of the boundary line of any place he knows is the residence of the victim. An adult who is convicted of an offense prohibiting proximity to the victim of the offense and has established a lawful residence shall not be in violation of this section if the victim establishes a residence within 1,000 feet of the adult's residence subsequent to his conviction.

C. A violation of this section 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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2014, Special Session I, 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 is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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