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HOUSE BILL NO. 602

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 10, 2016)

(Patron Prior to Substitute—Delegate Bell, Robert B.)

A *BILL to amend and reenact § 18.2-104 of the Code of Virginia, relating to petit larceny; prior convictions; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-104 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-104. Punishment for conviction of misdemeanor larceny.

When a person is convicted of an offense of larceny or any offense deemed to be or punished as larceny under any provision of the Code, and it is alleged in the warrant, indictment, or information on which he is convicted, and admitted, or found by the jury or judge before whom he is tried, that he has been before convicted in the Commonwealth of Virginia or in another jurisdiction for any offense of larceny or any offense deemed or punishable as larceny *or any offense under Article 5 (§ 18.2-58 et seq.) of Chapter 4*, or of any substantially similar offense in any other jurisdiction, regardless of whether the prior convictions were misdemeanors, felonies, or a combination thereof, he shall be confined in jail not less than ~~thirty~~ 30 days nor more than ~~twelve~~ 12 months; and for a third, or any subsequent offense, he shall be *is* guilty of 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 \$76,852 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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