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HOUSE BILL NO. 2334

Offered January 13, 2017

A *BILL to amend the Code of Virginia by adding in Chapter 22.2 of Title 19.2 a section numbered 19.2-386.36, relating to certain fraud crimes; forfeiture of motor vehicle.*

Patron—Watts

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 in Chapter 22.2 of Title 19.2 a section numbered 19.2-386.36 as follows:

§ 19.2-386.36. Forfeiture of motor vehicles used in commission of certain crimes involving fraud.

A. Any motor vehicle knowingly used by the owner thereof or used by another with the owner's knowledge of and during the commission of, or in an attempt to commit, an offense of § 18.2-178, 18.2-178.1 or 18.2-200.1 shall be forfeited to the Commonwealth. The motor vehicle shall be seized by any law-enforcement officer arresting the operator of such vehicle for the criminal offense and delivered to the sheriff of the county or city in which the offense occurred. The officer shall take a receipt therefor.

B. Any forfeiture action under this section shall be stayed until conviction, and property eligible for forfeiture pursuant to this section shall be forfeited only upon the entry of a final judgment of conviction for an offense listed in this section; if no such judgment is entered, all property seized pursuant to this section shall be released from seizure.

C. All seizures and forfeitures under this section shall be governed by the procedures contained in Chapter 22.1 (§ 19.2-386.1 et seq.).

INTRODUCED

HB2334