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**HOUSE BILL NO. 745**

House Amendments in [ ] — February 8, 2018

*A BILL to amend and reenact § 18.2-365 of the Code of Virginia, relating to adultery; civil penalty.*

Patron Prior to Engrossment—Delegate Leftwich

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-365 of the Code of Virginia is amended and reenacted as follows:**

**§ 18.2-365. Adultery defined; penalty.**

Any person, being married, who voluntarily ~~shall have~~ *has* sexual intercourse with any person not his or her spouse ~~shall be~~ *is* guilty of adultery; ~~punishable as a Class 4 misdemeanor and is subject to a civil penalty of not more than \$250, which shall be payable to the Literary Fund. [ Any law-enforcement officer may issue a summons for a violation of this section. ]~~

ENGROSSED

HB745E