

19102623D

HOUSE BILL NO. 2010

Offered January 9, 2019

Prefiled January 7, 2019

A BILL to amend and reenact § 18.2-423.01 of the Code of Virginia, relating to using flame producing instrument or device with intent to intimidate; penalty.

Patron—Toscano

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-423.01 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-423.01. Burning object or using flame producing instrument or device on property of another or a highway or other public place with intent to intimidate; penalty.

A. Any person who, with the intent of intimidating any person or group of persons, burns an object or uses any flame producing torch or other flame producing instrument or device on the private property of another without permission; is guilty of a Class 6 felony.

B. Any person who, with the intent of intimidating any person or group of persons, burns an object or uses any flame producing torch or other flame producing instrument or device on a highway or other public place in a manner having a direct tendency to place another person in reasonable fear or apprehension of death or bodily injury 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 of the Code of Virginia, 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 2018, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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