

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-303.2 of the Code of Virginia, relating to deferred dispositions;*
3 *property crimes; larceny and receiving stolen goods.*

4 [S 286]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-303.2 of the Code of Virginia is amended and reenacted as follows:**8 **§ 19.2-303.2. Persons charged with first offense may be placed on probation.**

9 Whenever any person who has not previously been convicted of any felony, *or has not previously*
10 *had a proceeding against him for violation of such an offense dismissed as provided in this section,*
11 *pleads guilty to or enters a plea of not guilty to any crime against property constituting a misdemeanor,*
12 *under Articles Article 3 (§ 18.2-95 et seq.), 5 (§ 18.2-119 et seq.) except for a violation of § 18.2-130 or*
13 *18.2-130.1, 6 (§ 18.2-137 et seq.), 7 and (§ 18.2-144 et seq.), or 8 (§ 18.2-153 et seq.) of Chapter 5*
14 *(§ 18.2-119 et seq.) of Title 18.2, the court, upon such plea if the facts found by the court would justify*
15 *a finding of guilt, without entering a judgment of guilt and with the consent of the accused, may defer*
16 *further proceedings and place him on probation subject to terms and conditions, which may include*
17 *restitution for losses caused, set by the court. If the court defers further proceedings for an offense that*
18 *is required to be reported to the Central Criminal Records Exchange pursuant to § 19.2-390, at that time*
19 *the court shall determine whether the clerk of court has been provided with the fingerprint identification*
20 *information or fingerprints of the accused, taken by a law-enforcement officer pursuant to § 19.2-390,*
21 *and, if not, shall order that the fingerprints and photograph of the accused be taken by a*
22 *law-enforcement officer. Upon violation of a term or condition, the court may enter an adjudication of*
23 *guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, and upon*
24 *determining that the clerk of court has been provided with the fingerprint identification information or*
25 *fingerprints of such person for an offense that is required to be reported to the Central Criminal Records*
26 *Exchange pursuant to § 19.2-390, the court shall discharge the person and dismiss the proceedings*
27 *against him. Discharge and dismissal under this section shall be without adjudication of guilt and is a*
28 *conviction only for the purpose of applying this section in subsequent proceedings.*

ENROLLED

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