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HOUSE BILL NO. 2236

Offered January 13, 2025

Prefiled January 7, 2025

A *BILL to amend and reenact § 19.2-390.01 of the Code of Virginia, relating to use of Virginia crime code in documents for jailable offenses; Virginia Criminal Sentencing Commission.*

Patron—Cousins

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-390.01 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-390.01. Use of Virginia crime code references required.

If any criminal warrant, indictment, information, presentment, petition, summons, charging document issued by a magistrate, or dispositional document from a criminal trial, involves a jailable offense, it shall include the Virginia crime code references for the particular offense or offenses covered. When Virginia crime codes are provided on charging and dispositional documents, the Virginia crime codes shall be recorded and stored for adult offenders in *the following*: criminal history computer systems maintained by the State Police; court case management computer systems maintained by the Supreme Court of Virginia; probation and parole case management computer systems maintained by the Department of Corrections and the Virginia Parole Board; pretrial and community-based probation case management computer systems maintained by the Department of Criminal Justice Services; and jail management computer systems maintained by the State Compensation Board. The Department of Juvenile Justice shall record and store Virginia crime codes for particular offenses related to juveniles in case management computer systems.

Virginia crime codes shall only be used to facilitate administration and research; and shall not have any legal standing as they relate to a particular offense or offenses.

The Virginia Criminal Sentencing Commission shall develop, maintain, and modify the Virginia crime codes as may be deemed necessary.

2. That nothing in this act shall be construed to authorize the Virginia Criminal Sentencing Commission to develop, maintain, modify, or administer the Virginia crime codes in a manner that would require modifications to any court case management computer systems maintained by the Office of the Executive Secretary of the Supreme Court of Virginia or would require (i) implementation of new procedures or (ii) modifications of existing procedures followed by clerks of court for entering information into such systems. However, the Office of the Executive Secretary and clerks of court shall cooperate with the Virginia Criminal Sentencing Commission as needed to implement changes in law enacted by the General Assembly, and the computer systems maintained by the Office of the Executive Secretary shall continue to record and store Virginia crime codes provided on charging and dispositional documents. Neither the Office of the Executive Secretary nor any clerk of court shall be authorized to develop or modify Virginia crime codes.

INTRODUCED

HB2236