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HOUSE BILL NO. 2120

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 31, 2025)

(Patron Prior to Substitute—Delegate Maldonado)

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 seizure of property used in connection with or derived from financial exploitation of vulnerable adults.*

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. Seizure of moneys or other assets of value in connection with or derived from financial exploitation of vulnerable adults.

All money, equipment, motor vehicles, and other personal and real property of any kind or character that is used to promote or engage in or that is the subject of a violation of § 18.2-178.1 shall be subject to seizure. Real property shall not be subject to seizure unless the minimum prescribed punishment for the violation is a term of imprisonment of not less than 12 months.

All seizures and forfeitures under this section shall be governed by Chapter 22.1 (§ 19.2-386.1 et seq.), and the procedures specified therein shall apply, mutatis mutandis, to all forfeitures under Article 9 (§ 18.2-246.1 et seq.) of Chapter 6 of Title 18.2, except that (i) in addition to existing procedures for service of process, such service may also be satisfied by certified mail, return receipt requested, and (ii) all money, equipment, motor vehicles, and other personal and real property seized in the course of the prosecution for such offense shall be returned to the vulnerable adult or his estate upon a plea of guilty or a finding of facts sufficient for guilt.

HOUSE SUBSTITUTE

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