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1 **HOUSE BILL NO. 295**

2 Offered January 14, 2026

3 Prefiled January 9, 2026

4 *A BILL to amend and reenact § 18.2-31 of the Code of Virginia, relating to aggravated murder defined;*
5 *correctional officers; punishment.*

6 Patron—Cornett

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 18.2-31 of the Code of Virginia is amended and reenacted as follows:**10 **§ 18.2-31. Aggravated murder defined; punishment.**

11 A. The following offenses shall constitute aggravated murder, punishable as a Class 1 felony:

12 1. The willful, deliberate, and premeditated killing of any person in the commission of abduction, as
13 defined in § 18.2-48, when such abduction was committed with the intent to extort money or a pecuniary
14 benefit or with the intent to defile the victim of such abduction;

15 2. The willful, deliberate, and premeditated killing of any person by another for hire;

16 3. The willful, deliberate, and premeditated killing of any person, *other than a correctional officer as*
17 *defined in § 53.1-1*, by a prisoner confined in a state or local correctional facility as defined in § 53.1-1, or
18 while in the custody of an employee thereof;19 4. The willful, deliberate, and premeditated killing of any person in the commission of robbery or
20 attempted robbery;21 5. The willful, deliberate, and premeditated killing of any person in the commission of, or subsequent to,
22 rape or attempted rape, forcible sodomy, or attempted forcible sodomy or object sexual penetration;23 6. The willful, deliberate, and premeditated killing of a law-enforcement officer as defined in § 9.1-101, a
24 fire marshal appointed pursuant to § 27-30 or a deputy or an assistant fire marshal appointed pursuant to
25 § 27-36, when such fire marshal or deputy or assistant fire marshal has police powers as set forth in
26 §§ 27-34.2 and 27-34.2:1, an auxiliary police officer appointed or provided for pursuant to §§ 15.2-1731 and
27 15.2-1733, an auxiliary deputy sheriff appointed pursuant to § 15.2-1603, *a correctional officer as defined in*
28 *§ 53.1-1*, or any law-enforcement officer of another state or the United States having the power to arrest for a
29 felony under the laws of such state or the United States, when such killing is for the purpose of interfering
30 with the performance of his official duties;31 7. The willful, deliberate, and premeditated killing of more than one person as a part of the same act or
32 transaction;

33 8. The willful, deliberate, and premeditated killing of more than one person within a three-year period;

34 9. The willful, deliberate, and premeditated killing of any person in the commission of or attempted
35 commission of a violation of § 18.2-248, involving a Schedule I or II controlled substance, when such killing
36 is for the purpose of furthering the commission or attempted commission of such violation;37 10. The willful, deliberate, and premeditated killing of any person by another pursuant to the direction or
38 order of one who is engaged in a continuing criminal enterprise as defined in subsection I of § 18.2-248;39 11. The willful, deliberate, and premeditated killing of a pregnant woman by one who knows that the
40 woman is pregnant and has the intent to cause the involuntary termination of the woman's pregnancy without
41 a live birth;42 12. The willful, deliberate, and premeditated killing of a person under the age of 14 by a person age 21 or
43 older;44 13. The willful, deliberate, and premeditated killing of any person by another in the commission of or
45 attempted commission of an act of terrorism as defined in § 18.2-46.4;46 14. The willful, deliberate, and premeditated killing of a justice of the Supreme Court, a judge of the
47 Court of Appeals, a judge of a circuit court or district court, a retired judge sitting by designation or under
48 temporary recall, or a substitute judge appointed under § 16.1-69.9:1 when the killing is for the purpose of
49 interfering with his official duties as a judge; and50 15. The willful, deliberate, and premeditated killing of any witness in a criminal case after a subpoena has
51 been issued for such witness by the court, the clerk, or an attorney, when the killing is for the purpose of
52 interfering with the person's duties in such case.53 B. For a violation of subdivision A 6 where the offender was 18 years of age or older at the time of the
54 offense, the punishment shall be no less than a mandatory minimum term of confinement for life.55 C. If any one or more subsections, sentences, or parts of this section shall be judged unconstitutional or
56 invalid, such adjudication shall not affect, impair, or invalidate the remaining provisions thereof but shall be

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59 confined in its operation to the specific provisions so held unconstitutional or invalid.
60 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
61 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
62 **appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be**
63 **determined for periods of commitment to the custody of the Department of Juvenile Justice.**