

# 2026 SESSION

INTRODUCED

26102040D

1 **HOUSE BILL NO. 1082**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 *A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by gangs; definition of*  
5 *"predicate criminal act"; penalties.*

6 Patron—Walker

7 \_\_\_\_\_  
8 Committee Referral Pending  
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10 **Be it enacted by the General Assembly of Virginia:**

11 **1. That § 18.2-46.1 of the Code of Virginia is amended and reenacted as follows:**

12 **§ 18.2-46.1. Definitions.**

13 As used in this article, unless the context requires a different meaning:

14 "Act of violence" means those felony offenses described in subsection C of § 17.1-805 or subsection A of  
15 § 19.2-297.1.

16 "Criminal street gang" means any ongoing organization, association, or group of three or more persons,  
17 whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one  
18 or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose  
19 members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to  
20 commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence,  
21 provided such acts were not part of a common act or transaction.

22 "Predicate criminal act" means (i) an act of violence; (ii) any violation of § 18.2-42, 18.2-46.3, 18.2-56.1,  
23 18.2-57, 18.2-57.2, 18.2-59, 18.2-83, 18.2-95, 18.2-103.1, 18.2-108.1, 18.2-121, 18.2-127, 18.2-128,  
24 18.2-137, 18.2-138, 18.2-146, 18.2-147, 18.2-248.01, 18.2-248.03, 18.2-255, 18.2-255.2, 18.2-287.4,  
25 18.2-300, 18.2-308, 18.2-308.1, 18.2-308.2, 18.2-308.2:01, 18.2-308.4, or 18.2-357.1; (iii) a felony violation  
26 of § 18.2-60.3, 18.2-346.01, 18.2-348, or 18.2-349; (iv) a felony violation of § 4.1-1101, 18.2-248, or  
27 18.2-248.1 or a conspiracy to commit a felony violation of § 4.1-1101, 18.2-248, or 18.2-248.1; (v) any  
28 violation of a local ordinance adopted pursuant to § 15.2-1812.2; or (vi) a misdemeanor violation of  
29 § 18.2-282; or (vii) any substantially similar offense under the laws of another state or territory of the United  
30 States, the District of Columbia, or the United States.

31 **2. That the provisions of this act may result in a net increase in periods of imprisonment or  
32 commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary  
33 appropriation is at least \$520,889 for periods of imprisonment in state adult correctional facilities and  
34 cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**

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