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HOUSE BILL NO. 1468

Offered January 14, 2015

Prefiled December 30, 2014

A *BILL to amend the Code of Virginia by adding a section in Chapter 22.2 of Title 19.2 numbered 19.2-386.36, relating to asset forfeiture; civil action.*

Patrons—Marshall, R.G., Berg, Cole and LaRock

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section in Chapter 22.2 of Title 19.2 numbered 19.2-386.36 as follows:

§ 19.2-386.36. Civil action for asset forfeiture upon acquittal, dismissal of charges, nolle prosequi, etc.

Upon any acquittal, dismissal of charges, nolle prosequi, or any other final disposition without judgment of conviction of the charges on which property of the defendant was seized and forfeited to the Commonwealth in an action pursuant to Chapter 22.1 (§ 19.2-386.1 et seq.), this chapter, or any other provision of law, the locality, or the Commonwealth if the forfeiture action was initiated by the Attorney General, is liable to the defendant for any damages resulting from the forfeiture of such property, plus reasonable attorney fees and costs.

INTRODUCED

HB1468