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HOUSE BILL NO. 503

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to amend and reenact § 19.2-130 of the Code of Virginia, relating to bail in subsequent proceeding arising out of initial arrest.

Patron—Mullin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-130 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-130. Bail in subsequent proceeding arising out of initial arrest.

A. Any person *who was previously* admitted to bail by a judge or clerk of a district court or by a magistrate shall ~~not be required to be admitted to bail in any subsequent proceeding arising out of the initial arrest unless the court having jurisdiction of such subsequent proceeding deems the initial amount of bond or security taken inadequate.~~ *When be granted bail and have the terms of bond or recognizance fixed in the amount or manner consistent with the prior admission to bail. But if the court having jurisdiction of the subsequent proceeding believes bail is inappropriate, or the amount of bond or security inadequate or excessive, it may deny bail, or change the amount of such bond or security, require new and additional sureties, or set other terms of bail as are appropriate to the case, including, but not limited to, drug and alcohol monitoring. The court may, after notice to the parties, initiate a proceeding to alter the terms and conditions of bail on its own motion.*

B. Any motion to alter the terms and conditions of bail where the initial bail decision is made by a judge or clerk of a district court or by a magistrate on any charge originally pending in that district court shall be filed in that district court unless (i) a bail decision is on appeal, (ii) such charge has been transferred pursuant to § 16.1-269.1 to a circuit court, or (iii) such charge has been certified by a district court.

INTRODUCED

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