1	SENATE BILL NO. 408
2	AMENDMENT IN THE NATURE OF A SUBSTITUTE
3	(Proposed by the Senate Committee on the Judiciary
4	on)
5	(Patron Prior to SubstituteSenator Dunnavant)
6	A BILL to amend and reenact § 19.2-298 of the Code of Virginia, relating to transmission of sentencing
7	documents to the Department of Health Professions and Department of Behavioral Health and
8	Developmental Services.
9	Be it enacted by the General Assembly of Virginia:
10	1. That § 19.2-298 of the Code of Virginia is amended and reenacted as follows:
11	§ 19.2-298. Pronouncement of sentence.
12	After a finding of guilty, sentence shall be pronounced, or decision to suspend the imposition of
13	sentence shall be announced, without unreasonable delay. Pending pronouncement, the court may commit
14	the accused to jail or may continue or alter the bail except that in those cases where the accused is
15	convicted of a murder in the first degree, the court shall commit him to jail and he shall not be allowed
16	bail pending the pronouncement of sentence. Before pronouncing the sentence, the court shall inquire of
17	the accused if he desires to make a statement and if he desires to advance any reason why judgment should
18	not be pronounced against him.
19	Whenever any person willfully and knowingly fails to surrender or submit to the custody of a
20	sheriff as ordered by a court, any law-enforcement officer, with or without a warrant, may arrest such
21	person anywhere in the Commonwealth. If the arrest is made in the county or city in which the person was
22	ordered to surrender, or in an adjoining county or city, the officer may forthwith return the accused before
23	the proper court. If the arrest is made beyond the foregoing limits, the officer shall proceed according to
24	the provisions of § 19.2-76, and if such arrest is made without a warrant, the officer shall procure a warrant
25	from the magistrate serving the county or city wherein the arrest was made, charging the accused with
26	contempt of court.

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OFFERED FOR CONSIDERATION

2/2/2022 11:21:51 AM

After the pronouncement of sentence, if during the course of any of the judicial proceedings it
comes to the court's attention that the defendant is registered, certified, or licensed by a health regulatory
board or holds a multistate licensure privilege, or is licensed by the Department of Behavioral Health and
Developmental Services in accordance with § 37.2-404, and the defendant has been convicted of a felony,
crime involving moral turpitude, or crime that occurred during the course of practice for which such
practitioner or person is licensed, the court may order the clerk of the court to transmit certified copies of
sentencing documents to the Director of the Department of Health Professions or to the Commissioner of
Behavioral Health and Developmental Services. Such certified copies of sentencing documents shall be
transmitted within 30 days after the sentencing hearing.

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