

OFFERED JANUARY 15, 1948

A BILL

To amend and re-enact Section 4391 of the Code of Virginia, dealing with attempting or instigating usurpation of government and punishment therefor, by prohibiting advocacy of violent change in form of government of Commonwealth and United States, and providing for injunctions.

Patrons - Messrs. Moncure and Locher

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That section four thousand three hundred ninety-one of the Code of Virginia be amended and re-enacted as follows:

Section 4391. Attempting or inciting to usurpation of government or violent change in government; how punished; injunctions. -Every person who (1) attempts to establish any such usurped government and commits any overt act therefor or (2) by writing or speaking incites to the establishment of such government or the change through intimidation, force or violence or otherwise than as provided by law of the form of government of the Commonwealth or of the United States or (3) organizes, joins, participates in, aids or abets any group, organization or meeting having such change as a doctrine, purpose or objective or (4) conspires to do any of the foregoing acts and every such group or organization which acts as a political party or meets or does or attempts any of the foregoing acts shall be guilty of felony and upon conviction punished by imprisonment for not less than three nor more than five years or fine of not more than one thousand dollars or both. Commission of any of the foregoing acts or attempts may be enjoined.

(Underlined text is proposed new wording)

MEMBERS OF THE COMMITTEE FOR COURTS OF JUSTICE ARE:

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