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SENATE BILL NO. 100

Offered January 14, 2004

Prefiled January 6, 2004

A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

Patrons—Devolites; Delegate: Moran

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-108 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-108. Criminal Justice Services Board membership; terms; vacancies; members not disqualified from holding other offices; designation of chairmen; meetings; compensation.

A. The Criminal Justice Services Board is established as a policy board within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall consist of ~~twenty-seven~~ 28 members as follows: the Chief Justice of the Supreme Court of Virginia, or his designee; the Attorney General or his designee; the Superintendent of the Department of State Police; the Director of the Department of Corrections; the Director of the Department of Juvenile Justice; the Superintendent of the Department of Correctional Education; the Chairman of the Parole Board; and the Executive Secretary of the Supreme Court of Virginia. In those instances in which the Executive Secretary of the Supreme Court of Virginia, the Superintendent of the Department of State Police, the Director of the Department of Corrections, the Director of the Department of Juvenile Justice, the Superintendent of the Department of Correctional Education, or the Chairman of the Parole Board will be absent from a Board meeting, he may appoint a member of his staff to represent him at the meeting.

~~Fifteen~~ Sixteen members shall be appointed by the Governor from among residents of the Commonwealth. At least one shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01. The remainder shall be representative of the broad categories of state and local governments, criminal justice systems, and law-enforcement agencies, including but not limited to, police officials, sheriffs, attorneys for the Commonwealth, defense counsel, the judiciary, correctional and rehabilitative activities, and other locally elected and appointed administrative and legislative officials. Among these members there shall be two sheriffs representing the Virginia State Sheriffs Association selected from among names submitted by the Association; two representatives of the Chiefs of Police Association selected from among names submitted by the Association; one attorney for the Commonwealth selected from among names submitted by the Association for Commonwealth's Attorneys; one person who is a mayor, city or town manager, or member of a city or town council representing the Virginia Municipal League selected from among names submitted by the League; one person who is a county executive, manager, or member of a county board of supervisors representing the Virginia Association of Counties selected from among names submitted by the Association; *one person who is an active duty police officer selected from among names submitted by police or fraternal associations that are not affiliated with a union and have memberships of at least 5,000*; one member representing the Virginia Crime Prevention Association selected from among names submitted by the Association; one member of the Private Security Services Advisory Board; and one representative of the Virginia Association of Regional Jail Superintendents selected from among names submitted by the Association.

Four members of the Board shall be members of the General Assembly appointed by the chairmen of legislative committees as follows: one member of the House Committee on Appropriations; one member of the Senate Committee on Finance; one member of the House Committee for Courts of Justice; and one member of the Senate Committee for Courts of Justice. The legislative members shall serve for terms coincident with their terms of office and shall serve as ex officio, non-voting members.

B. The members of the Board appointed by the Governor shall serve for terms of four years, provided that no member shall serve beyond the time when he holds the office or employment by reason of which he was initially eligible for appointment. Appointed members of the Board shall not be eligible to serve for more than two consecutive full terms. Three or more years within a four-year period shall be deemed a full term. Any vacancy on the Board shall be filled in the same manner as the original appointment, but for the unexpired term.

C. The Governor shall appoint a chairman of the Board, and the Board shall designate one or more vice-chairmen from among its members, who shall serve at the pleasure of the Board.

D. Notwithstanding any provision of any statute, ordinance, local law, or charter provision to the

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59 contrary, membership on the Board shall not disqualify any member from holding any other public
60 office or employment, or cause the forfeiture thereof.

61 E. The Board shall hold no less than four regular meetings a year. Subject to the requirements of this
62 subsection, the chairman shall fix the times and places of meetings, either on his own motion or upon
63 written request of any five members of the Board.

64 F. The Board may adopt bylaws for its operation.

65 G. Members of the Board shall receive compensation and shall be reimbursed for all reasonable and
66 necessary expenses incurred in the discharge of their duties as provided in § 2.2-2813.