

064759300

HOUSE BILL NO. 1452

Offered January 18, 2006

A BILL to amend and reenact §§ 53.1-2 and 53.1-6 of the Code of Virginia, relating to State Board of Corrections; membership; powers.

Patrons—Ebbin, Reid, Saxman and Welch

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-2 and 53.1-6 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-2. Appointment of members; qualifications; terms and vacancies.

There shall be a State Board of Corrections which shall consist of nine residents of the Commonwealth appointed by the Governor and subject to confirmation by the General Assembly. In making appointments the Governor shall endeavor to select appointees of such qualifications and experience that the membership of the Board shall include persons suitably qualified to consider and act upon the various matters under the Board's jurisdiction. *These appointees shall include two community leaders, two elected officials, three members of the medical profession, and two citizens with an immediate family member incarcerated within the Commonwealth of Virginia.*

Notwithstanding any other provisions of law, those members of the Board with an immediate family member who is incarcerated will not be provided unlimited access to those institutions where their incarcerated family members are housed.

Members of the Board shall serve at the pleasure of the Governor and shall be appointed for terms of four years. A vacancy other than by expiration of term shall be filled by the Governor for the unexpired term.

No person shall be eligible to serve more than two full consecutive four-year terms.

The Board shall report its findings to the Governor on a quarterly basis and to the General Assembly annually during the month of November.

As used in this section, "community leader" means a citizen of the Commonwealth who has served for two or more consecutive years as director, assistant director, administrator, or member of the board of directors for a recognized nonprofit community or faith-based organization. "Member of the medical profession" means a licensed doctor of medicine under § 54.1-2932, a psychologist as defined under § 54.1-3600, or a substance abuse treatment practitioner licensed under § 54.1-3507.

§ 53.1-6. Board may administer oaths, conduct hearings and issue subpoenas.

The Board in the exercise and performance of its functions, duties and powers under the provisions of this title is authorized to hold and conduct hearings, to enter and inspect Department of Corrections facilities at any time, to issue subpoenas requiring the attendance of witnesses and the production of records, memoranda, papers and other documents, to administer oaths and to take testimony thereunder.

INTRODUCED

HB1452