

063988364

**HOUSE BILL NO. 221****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Militia, Police, and Public Safety  
on February 10, 2006)

(Patron Prior to Substitute—Delegate Jones, D.C.)

*A BILL to amend and reenact § 53.1-1.1 of the Code of Virginia, and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.2, relating to telephone systems within state correctional facilities.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 53.1-1.1 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.2, as follows:**

**§ 53.1-1.1. Telephone systems within correctional facilities.**

The Department of Corrections shall offer debit or prepaid telephone systems, in addition to any existing collect calling systems, which allow telephone calls to be placed to the telephone number or numbers on an approved call list. Such telephone systems ~~may~~ shall be established with the lowest available rates, *allowing for the security needs of the institutions.*

*Commission payments to the Commonwealth or agencies thereof from the companies that provide inmate telephone services shall not exceed 10% of the amount paid by the individuals who use the service. All payments received by the Commonwealth as a result of the telephone systems required by this section shall be paid into the Prisoner Reentry Fund established in § 53.1-1.2.*

**§ 53.1-1.2. Prisoner Reentry Fund established; uses.**

There is hereby created in the state treasury a special nonreverting fund to be known as the Prisoner Reentry Fund (the Fund). The Fund shall be established on the books of the Comptroller. All payments received as a result of the telephone systems required by § 53.1-1.1 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of independent pre-release and post-release transition services programs. The Board of Corrections shall determine what organizations shall receive moneys from the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director.

For purposes of this section, "independent pre-release and post-release services programs" include those supported by charitable and faith-based organizations.

**2. That the Board of Corrections shall promulgate regulations to implement the provisions of § 53.1-1.2, including developing an application process and criteria for the selection of fund recipients.**