

065623364

**HOUSE BILL NO. 235**

Offered January 11, 2006

Prefiled January 3, 2006

*A BILL to amend and reenact § 53.1-106 of the Code of Virginia, relating to members of jail farm board or regional jail authority; establishment of regional board or authority by sole locality.*

Patron—Jones, D.C.

Referred to Committee on Militia, Police and Public Safety

**Be it enacted by the General Assembly of Virginia:****1. That § 53.1-106 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-106. Members of jail or jail farm board or regional jail authority; powers; payment of pro rata costs.

A. Each regional jail or jail farm shall be supervised and managed by a board or authority to consist of at least the sheriff from each participating political subdivision, and one representative from each political subdivision participating therein who shall be appointed by the local governing body thereof. Any member of the local governing body of each participating political subdivision shall be eligible for appointment to the jail or jail farm board or regional jail authority. However, no one shall serve as a member of the board or authority who serves as an administrator or superintendent of a correctional facility supervised and managed by the board.

Alternate members may be appointed to the board. Such alternate members shall be selected in the same manner as regular members, except that a sheriff may appoint his own alternate. The term of each alternate shall be determined by the sheriff or the political subdivision, whichever appointed the alternate. If a regular member is not present at a meeting of the board, the alternate for that member shall have all the voting and other rights of a regular member and shall be counted for purposes of determining a quorum at any meeting.

B. The board shall have the power to:

1. Establish rules and regulations governing the operation of the jail or jail farm not inconsistent with standards of the State Board of Corrections;

2. Purchase land for the jail or jail farm for joint ownership by the participating political subdivisions with the approval of the local governing bodies;

3. Provide for all necessary stock, equipment and structures for the jail or jail farm within the budget approved therefor by the participating political subdivisions; and

4. Appoint a superintendent of such jail or jail farm and necessary jail officers therefor who shall serve at the pleasure of the board.

The political subdivisions establishing a regional jail or jail farm shall pay their pro rata costs for land, stock, equipment and structures.

C. Any political subdivision may become a member of any existing regional jail or jail farm board or authority, and any political subdivision that is a member of an existing board or authority may withdraw therefrom, but no political subdivision shall be permitted to withdraw from any board or authority after any obligation has been incurred by the board or authority except by unanimous vote of all members of the board or authority.

The governing body of any political subdivision wishing to withdraw from an existing board or authority shall signify its desire by resolution or ordinance. The governing body of any political subdivision wishing to become a member of an existing board or authority and the governing bodies of the political subdivisions then members of the board or authority shall by concurrent resolutions or ordinances or by agreement provide for the joinder of such political subdivision and specify the number and term of office of members of the expanded board or authority that are to be appointed by each of the participating political subdivisions, together with the name, address, and term of office of initial appointments to membership.

2. That notwithstanding the provisions of §§ 53.1-81 and 53.1-82.3 and of Article 5 (§ 53.1-105 et seq.) of Chapter 3 of Title 53.1, the City of Richmond may submit the required studies as prescribed by the State Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities to the Department of Corrections and the State Board of Corrections for review prior to August 1, 2006, as if the City of Richmond were a participating member of a regional jail authority or jail farm board, and may submit to the Governor on or before March 1, 2007, the required community-based corrections plan and specifications, including detailed costs estimates and financing costs of any construction of a

INTRODUCED

HB235

59 regional facility or enlargement or renovation of an existing jail for the purpose of establishing a  
60 regional jail facility.