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SENATE BILL NO. 457

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to the sheriff providing courthouse and courtroom security; assessment.

Patron—Devolites Davis

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-120 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-120. Sheriff to provide for courthouse and courtroom security; designation of deputies for such purpose; assessment.

A. Each sheriff shall ensure that the courthouses and courtrooms within his jurisdiction are secure from violence and disruption and shall designate deputies for this purpose. A list of such designations shall be forwarded to the Director of the Department of Criminal Justice Services.

B. The chief circuit court judge, the chief general district court judge and the chief juvenile and domestic relations district court judge shall be responsible by agreement with the sheriff of the jurisdiction for the designation of courtroom security deputies for their respective courts. If the respective chief judges and sheriff are unable to agree on the number, type and working schedules of courtroom security deputies for the court, the matter shall be referred to the Compensation Board for resolution in accordance with existing budgeted funds and personnel.

C. The sheriff shall have the sole responsibility for the identity of the deputies designated for courtroom security.

D. Any county or city, through its governing body, may assess a sum not in excess of ~~$5~~ *$10* as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a violation of any statute or ordinance. If a town provides court facilities for a county, the governing body of the county shall return to the town a portion of the assessments collected based on the number of criminal and traffic cases originating and heard in the town. The imposition of such assessment shall be by ordinance of the governing body that may provide for different sums in the circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the case is heard, remitted to the treasurer of the appropriate county or city and held by such treasurer subject to appropriation by the governing body to the sheriff's office for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security. *Such funds appropriated and any interest accumulated thereon shall only be used in connection with the provision of courthouse security.*