

VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

CHAPTER 394

An Act to amend and reenact §§ 53.1-261 and 53.1-263 of the Code of Virginia, relating to Corrections Private Management Act.

[S 1385]

Approved March 15, 2007

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-261 and 53.1-263 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-261. Definitions.

As used in this chapter unless the context requires otherwise or it is otherwise provided:

"Correctional services" means the following functions, services and activities when provided within a prison or otherwise:

1. Operation of facilities, including management, custody of inmates and provision of security;
2. Food services, commissary, medical services, transportation, sanitation or other ancillary services;
3. Development and implementation assistance for classification, management information systems or other information systems or services;
4. Education, training and employment programs;
5. Recreational, religious and other activities; and
6. Counseling, special treatment programs, or other programs for special needs.

"Prison" or "facility" or "prison facility" means any institution operated by or under authority of the Department and shall include, whether obtained by purchase, lease, construction, reconstruction, restoration, improvement, alteration, repair or other means, any physical betterment or improvement related to the housing of inmates or any preliminary plans, studies or surveys relative thereto; land or rights to land; and any furnishings, machines, vehicles, apparatus, or equipment for use in connection with any prison facility.

"Prison contractor" or "contractor" means any entity, including a local government, entering into or offering or proposing to enter into a contractual agreement to provide any correctional services to inmates under the custody of the Commonwealth *or federal inmates under the custody of the prison contractor, while in the Commonwealth of Virginia.*

§ 53.1-263. Authority of security employees.

Security employees of a prison contractor shall be allowed to use force and shall exercise their powers and authority only while on the grounds of an institution under the supervision of the prison contractor, while transporting inmates ~~and~~, while pursuing escapees from such institutions, *and while providing inmate security for prisoners at a medical facility in the Commonwealth.* All provisions of law pertaining to custodians of inmates, correctional officers, or prison or jail officers, except § 19.2-81.1, shall apply to contractors' security employees.