

VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

CHAPTER 591

An Act to amend and reenact § 53.1-33 of the Code of Virginia, relating to physical examination of prisoner; ability to work.

[S 836]

Approved March 20, 2007

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-33 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-33. Physical examination of prisoner; ability to work.

Each person received by the Department shall be examined by a licensed physician upon his arrival, *within 30 days prior to any work assignment in food services, medical services, or cosmetological services or a change in work assignment*, and at such *other* times thereafter as may be deemed necessary. The work that a prisoner is required to do shall be dependent upon the report of the physician as to his physical and mental capacity.

The warden, in consultation with the physician, may exclude prisoners, on a case-by-case basis, from work assignments based upon the classification of the institution and the safety and good order of the institution. Special consideration should be used in assigning any inmate with an infectious disease to assignments in food services, medical services, and cosmetological services.