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HOUSE BILL NO. 360

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend and reenact § 53.1-109 of the Code of Virginia, relating to service of civil and criminal process by regional jail officers.*

Patron—Ware, O.

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:**1. That § 53.1-109 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-109. Authority of jail superintendent and jail officers; fees charged to prisoner.

The jail superintendent shall have and exercise the same control and authority over the prisoners committed or transferred to a regional jail or jail farm as the sheriffs of this Commonwealth have by law over the prisoners committed or transferred to local jails.

During the term of their appointment the superintendent and jail officers are hereby invested with the powers and authority of a conservator of the peace (i) within the limits of such jail or jail farm and within one mile thereof, whether such jail or jail farm is situated within or beyond the limits of such political subdivisions establishing and maintaining the same; (ii) for the purpose of conveying prisoners to and from such jail or jail farm; (iii) for the purpose of enforcing the provisions of alternative incarceration or treatment programs pursuant to §§ 53.1-129, 53.1-131, and 53.1-131.2; (iv) for the purpose of providing security and supervision of prisoners taken to a medical, dental, or psychiatric facility; and (v) for the purpose of providing a security escort and supervision of prisoners transported to a funeral or graveside service. Prisoners may be charged reasonable fees for services described in clause (v).

During the term of their appointment, the superintendent and jail officers shall have the powers and authority of a sheriff or sheriff's deputy for the purpose of service of civil and criminal process upon inmates within the jail or jail farm, provided the officers who do so have received the same training with regard to service of civil and criminal process as is given sheriffs and sheriff's deputies with like responsibility.

INTRODUCED

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