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**HOUSE BILL NO. 1563**

Offered January 12, 2011

Prefiled January 4, 2011

*A BILL to amend and reenact § 20-115 of the Code of Virginia, relating to failure to comply with order or decree for support; good conduct credits; home electronic monitoring.*

Patron—Miller, P.J.

Referred to Committee on Militia, Police and Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That § 20-115 of the Code of Virginia is amended and reenacted as follows:**

§ 20-115. Commitment and sentence for failure to comply with order or decree.

Upon failure or refusal to give the recognizance provided for in § 20-114, or upon conviction of any party for contempt of court in (i) failing or refusing to comply with any order or decree for support and maintenance for a spouse or for a child or children or (ii) willfully failing or refusing to comply with any order entered pursuant to § 20-103 or § 20-107.3, the court (i) may commit and sentence such party to a local correctional facility as provided for in § 20-61 and (ii) may assign the party to a work release program pursuant to § 53.1-131 or to perform public service work; in either event the assignment shall be for a fixed or indeterminate period or until the further order of the court. However, in no event shall commitment or work assignment be for more than ~~twelve~~ 12 months. The sum or sums as provided for in § 20-63, shall be paid as therein set forth, to be used for the support and maintenance of the spouse or the child or children for whose benefit such order or decree provided.

*A person sentenced under this section who is assigned to a work release program pursuant to § 53.1-131 or to perform public service work may earn good conduct credit at the rate of one day for each one day served on electronic monitoring including all days served during which the person has not violated the written rules and regulations of the jail. It shall be the responsibility of the jailer in each facility to determine the manner in which these credits may be awarded and to include this information in the written policy mandated by § 53.1-116.*

INTRODUCED

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