

# 2011 SESSION

## SENATE SUBSTITUTE

11104702D

### SENATE BILL NO. 1287

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services  
on January 28, 2011)

(Patron Prior to Substitute—Senator McWaters)

*A BILL to amend and reenact § 53.1-126 of the Code of Virginia, relating to localities' responsibility to pay jail expenses.*

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

**1. That § 53.1-126 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-126. Responsibility of sheriffs and jail superintendents for food, clothing and medicine.

The sheriff or jail superintendent shall purchase at prices as low as reasonably possible all foodstuffs and other provisions used in the feeding of jail prisoners and such clothing and medicine as may be necessary. Nothing herein shall be construed to require a sheriff, jail superintendent or a locality to pay for the medical treatment of an inmate for any injury, illness, or condition that existed prior to the inmate's commitment to a local or regional facility, except that medical treatment shall not be withheld for any communicable diseases, serious medical needs, or life threatening conditions. Invoices or itemized statements of account from each vendor of such foodstuffs, provisions, clothing and medicines shall be obtained by the sheriff or jail superintendent and presented *for payment* to the governing body of the city or county or, in the case of regional jails, the regional jail authority or, if none, that body responsible for the fiscal management of the regional jails, *which shall be responsible for the payment thereof*. He shall certify on each statement or invoice that the merchandise has been received and that the vendor has complied with the terms of the purchase. Such certification shall be in the following words: "I hereby certify that the merchandise or service has been received and that the terms of the purchase have been complied with on the part of the vendor. The merchandise or service has been or will be used solely for the feeding and care of prisoners confined in jail." If any county or city has a purchasing agent, the local governing body may require all such purchases to be made by or through the purchasing agent.

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