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HOUSE BILL NO. 1989

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to parole; earned sentence credits.*

Patron—McClellan

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-202.3 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-202.3. Rate at which sentence credits may be earned; prerequisites.

A maximum of ~~four~~ and ~~one-half~~ 15 sentence credits may be earned for each 30 days served. The earning of sentence credits shall be conditioned, in part, upon full participation in and cooperation with programs to which a person is assigned pursuant to § 53.1-32.1. For a juvenile sentenced to serve a portion of his sentence as a serious juvenile offender under § 16.1-285.1, consideration for earning sentence credits shall be conditioned, in part, upon full participation in and cooperation with programs afforded to the juvenile during that portion of the sentence. The Department of Juvenile Justice shall provide a report that describes the juvenile's adherence to the facility's rules and the juvenile's progress toward treatment goals and objectives while sentenced as a serious juvenile offender under § 16.1-285.1. Notwithstanding any other provision of law, no portion of any sentence credits earned shall be applied to reduce the period of time a person must serve before becoming eligible for parole upon any sentence.

Any person who, on or after July 1, 2013, has been sentenced upon a conviction of murder in the first degree, rape in violation of § 18.2-61, forcible sodomy, animate or inanimate object sexual penetration, or aggravated sexual battery and any person who has been sentenced to a term of life imprisonment or two or more life sentences shall be eligible for no more than 10 days good conduct credit for each 30 days served. One-half of such credit shall be applied to reduce the period of time he shall serve before being eligible for parole. Additional good conduct credits may be approved by the Board for such persons in accordance with § 53.1-191.

INTRODUCED

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