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**SENATE BILL NO. 290**

Senate Amendments in [ ] - February 14, 2012

A *BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric prisoners.*

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Patron Prior to Engrossment—Senator Lucas

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Referred to Committee on Rehabilitation and Social Services**Be it enacted by the General Assembly of Virginia:****1. That § 53.1-40.01 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-40.01. Conditional release of geriatric prisoners.

Any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, (i) who has reached the age of ~~sixty-five~~ 65 or older and who has served at least five years of the sentence imposed or (ii) who has reached the age of ~~sixty~~ 60 or older and who has served at least ~~ten~~ 10 years of the sentence imposed ~~may petition the Parole Board~~ shall be eligible for consideration for conditional release by the Parole Board. The Parole Board shall promulgate regulations to implement the provisions of this section.

[ 2. That the Parole Board shall submit a report to the Chairman of the Senate Committee on Rehabilitation and Social Services not later than December 1, 2012 on (i) the number of individuals considered for conditional release pursuant to § 53.1-40.01 of the Code of Virginia; (ii) the number of such individuals actually conditionally released; and (iii) the number of individuals conditionally released who are subsequently arrested and recommitted to the Department of Corrections. ]

ENGROSSED

SB290E