

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 8 of Chapter 3 of Title 53.1 a section*
 3 *numbered 53.1-133.10, relating to compact for the control of prisoners receiving medical, dental,*
 4 *and psychiatric care outside of Virginia.*

5 [S 818]

6 Approved

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

8 **1. That the Code of Virginia is amended by adding in Article 8 of Chapter 3 of Title 53.1 a**
 9 **section numbered 53.1-133.10 as follows:**

10 **§ 53.1-133.10. Governor to execute; form of compact.**

11 *The Governor is authorized and requested to execute, on behalf of the Commonwealth, with any*
 12 *other state or states legally joining therein a compact that shall be in form substantially as follows:*

13 *The compacting states solemnly agree that:*

14 **ARTICLE I.**

15 *The party states, desiring by common action to efficiently utilize and provide emergency medical,*
 16 *dental, and psychiatric care for prisoners of local correctional facilities, declare that it is the policy of*
 17 *each of the party states to cooperate with one another to serve the best interests of the prisoners and of*
 18 *the state and local governments in the convenient and economical provision of these services. The*
 19 *purpose of this compact is to provide for the mutual recognition of the control and authority over*
 20 *prisoners during transport to and from medical, dental, and psychiatric facilities across state*
 21 *boundaries.*

22 **ARTICLE II.**

23 *As used in this compact, unless the context clearly requires otherwise:*

24 *1. "State" means a state of the United States, the United States of America, a territory or possession*
 25 *of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.*

26 *2. "Sending state" means a state party to this compact in which a prisoner in need of medical,*
 27 *dental, or psychiatric services is incarcerated.*

28 *3. "Receiving state" means a state party to this compact in which is located a medical, dental, or*
 29 *psychiatric facility.*

30 *4. "Prisoner" means a male or female offender who is committed under sentence to or confined in a*
 31 *local correctional facility.*

32 *5. "Local correctional facility" means any penal or correctional facility or any jail, regional jail, jail*
 33 *farm, or other place used for the detention or incarceration of adult offenders that is owned,*
 34 *maintained, or operated by any political subdivision or combination of subdivisions of a state or a local*
 35 *government of a state.*

36 **ARTICLE III.**

37 *Each party state agrees to extend all necessary authority to law-enforcement or corrections officers*
 38 *from a sending state while such officers have in their custody a prisoner for the purpose of escorting*
 39 *the prisoner to and from a medical, dental, or psychiatric facility located in the receiving state.*

40 **ARTICLE IV.**

41 *This compact shall enter into force and become effective and binding upon the states so acting when*
 42 *it has been enacted into law by any two states. Thereafter, this compact shall enter into force and*
 43 *become effective and binding as to any other of said states upon similar action by such state.*

44 **ARTICLE V.**

45 *This compact shall continue in force and remain binding upon a party state until the party state has*
 46 *enacted a statute repealing the same and providing for the sending of formal written notice of*
 47 *withdrawal from the compact to the appropriate official of all other party states. No actual withdrawal*
 48 *shall take effect until one year after the notice provided in said statute has been sent. Such withdrawal*
 49 *shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date*
 50 *of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory,*
 51 *at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.*

52 **ARTICLE VI.**

53 *The provisions of this compact shall be liberally construed and shall be severable. If any phrase,*
 54 *clause, sentence, or provision of this compact is declared to be contrary to the constitution of any*
 55 *participating state or of the United States or the applicability thereof to any government, agency,*
 56 *person, or circumstance is held invalid, the validity of the remainder of this compact and the*

57 *applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If*
58 *this compact is held contrary to the constitution of any state participating therein, the compact shall*
59 *remain in full force and effect as to the remaining states and in full force and effect as to the state*
60 *affected as to all severable matters.*