

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of*
3 *geriatric prisoners; persons subject to protective orders ineligible.*

4
5 Approved

[S 561]

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

7 **1. That § 53.1-40.01 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 53.1-40.01. Conditional release of geriatric prisoners.**

9 Any person serving a sentence imposed upon a conviction for a felony offense, other than (i) a Class
10 1 felony or (ii) a felony act of violence as defined in § 19.2-297.1 where at the time of the offense the
11 person was subject to a protective order issued pursuant to § 16.1-253, 16.1-253.1, 16.1-253.4,
12 16.1-279.1, 18.2-60.3, 19.2-152.8, 19.2-152.9, 19.2-152.10, or subsection B of 20-103 and the victim of
13 the felony offense was the protected person under such order, (i) (a) who has reached the age of
14 ~~sixty-five~~ 65 or older and who has served at least five years of the sentence imposed or (ii) (b) who has
15 reached the age of ~~sixty~~ 60 or older and who has served at least ~~ten~~ 10 years of the sentence imposed
16 may petition the Parole Board for conditional release. The Parole Board shall promulgate regulations to
17 implement the provisions of this section.

ENROLLED

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