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SENATE BILL NO. 56

Senate Amendments in [] — January 30, 2014

A *BILL to amend and reenact § 19.2-182 of the Code of Virginia, relating to persons not guilty by reason of insanity; court-appointed counsel fees.*

Patron Prior to Engrossment—Senator McDougle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 19.2-182 of the Code of Virginia is amended and reenacted as follows:****§ 19.2-182. Representation by counsel in proceeding for commitment.**

A. In any proceeding for commitment under this title, the judge before whom or upon whose order the proceeding is being held, shall ascertain if the person whose commitment is sought is represented by counsel. If the person is not represented by counsel, the judge shall appoint an attorney at law to represent him in the proceeding. The attorney shall receive a fee of ~~twenty-five dollars~~ \$75 for his services, to be paid by the Commonwealth. *However, an attorney appointed by a circuit court to represent an acquittee who was acquitted of a felony by reason of insanity in a hearing to assess the need for inpatient hospitalization pursuant to § 19.2-182.5 shall be compensated for his services on an hourly basis at a rate set by the Supreme Court of Virginia, provided such compensation shall not exceed \$445, to be paid by the Commonwealth.*

B. Any attorney representing any person in any proceeding for commitment under this title shall, prior to such proceeding, personally consult with such person.

[2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2014 by the General Assembly that becomes law.]

ENGROSSED

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