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HOUSE BILL NO. 2224

Offered January 11, 2017

Prefiled January 11, 2017

A BILL to amend and reenact § 53.1-134 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 53.1-134.1, relating to members of the Parole Board; appointment; terms.

Patrons—Sickles, Bell, John J., Boysko, Hope, Kory, Krizek, Lindsey, Plum and Simon; Senators: Ebbin and Surovell

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-134 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 53.1-134.1 as follows:

§ 53.1-134. Creation of Parole Board; appointment of members.

There shall be a Parole Board ~~which~~ *that* shall consist of up to five members appointed by the Governor and subject to confirmation by the General Assembly, if in session when such appointment is made, and if not in session, then at its next succeeding session. At least one member of the Parole Board shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01.

The members of the Parole Board shall ~~serve at the pleasure of the Governor~~ *be appointed for terms of five years. All members may be reappointed for successive terms. Any vacancy occurring other than by expiration of terms shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.*

§ 53.1-134.1. Parole Qualifications Committee.

A. The Parole Qualifications Committee (the Committee) is established as an advisory committee in the executive branch of state government.

B. The Parole Qualifications Committee shall have a total membership of five members that shall consist of four nonlegislative citizen members and one ex officio member. Nonlegislative citizen members shall be appointed as follows: one nonlegislative citizen member to be appointed by the Speaker of the House of Delegates, one nonlegislative citizen member to be appointed by the Senate Committee on Rules, one nonlegislative citizen member to be appointed by the Commonwealth's Attorney's Services Council, and one nonlegislative citizen member to be appointed by the Governor upon consideration of the recommendation of a prisoner advocacy group selected by the Governor. The Secretary of Public Safety and Homeland Security or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the Committee shall be citizens of the Commonwealth.

The ex officio member of the Committee shall serve a term coincident with his term of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. Nonlegislative citizen members shall be appointed for a term of four years.

The Committee shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Committee shall be held at the call of the chairman or whenever the majority of the members so request.

C. The Committee shall be responsible for receiving and reviewing applications for vacancies on the Parole Board. Such review of applications shall consider the balance of experience of the members of the Parole Board as a whole. Upon completion of its review, the Committee shall submit a recommendation list of three eligible applicants to the Governor for each available position on the Parole Board. Such list shall be advisory only and not binding on the Governor or the General Assembly.

D. In order to be eligible for recommendation to the Governor, an applicant other than a crime victim who may be appointed by the Governor pursuant to § 53.1-134 shall have (i) a law degree or a degree from an accredited university or college with a major in criminology, corrections, or a related social science and (ii) at least five years of experience in corrections, criminal justice, or criminal law.

E. Members of the Committee shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Office of the Governor.

2. That the provisions of this act shall not apply to any member of the Parole Board appointed prior to July 1, 2017.

INTRODUCED

HB2224