

2018 SESSION

INTRODUCED

18102848D

SENATE BILL NO. 342

Offered January 10, 2018

Prefiled January 8, 2018

A *BILL to amend and reenact § 53.1-20.1 of the Code of Virginia, relating to compensation of local jails for cost of incarceration.*

Patron—Peake

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-20.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-20.1. Compensation of local jails for cost of incarceration.

If the Director is unable to accommodate in a state correctional facility any convicted felon sentenced to the Department for a felony committed before January 1, 1995, whose sentence totals more than two years or who is convicted of a felony committed on or after January 1, 1995, and who is required to serve a total period of one year or more in a state correctional facility, the Department of Corrections shall compensate local jails for the *actual* cost of incarceration as ~~provided for in the general appropriation act~~ beginning on the sixty-first day following the date of mailing by certified letter or electronic transmittal by the clerk of the committing court to the Director of the final order.

B. Each locality or regional authority that operates a jail shall establish its actual cost of incarceration per inmate per day. No convicted felon shall be moved to a local or regional jail pursuant to this section until such time as the Department of Corrections enters into an agreement with the locality or regional authority to pay the actual cost of incarceration as determined by the locality or regional authority.

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