

VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

CHAPTER 199

An Act to amend and reenact § 53.1-128 of the Code of Virginia, relating to inmate workforces; eligibility for voluntary participation.

[H 1935]

Approved March 5, 2019

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-128 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-128. Workforces and authorized work places.

The local governing body of any county, city or town may establish workforces in the county, city or town under such conditions as it may prescribe. Such workforces are authorized to work on (i) public property or works owned, leased or operated by the Commonwealth or the county, city or town; (ii) a privately operated national park on federal land; (iii) any property owned by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3) or (c)(4) and that is organized and operated exclusively for charitable or social welfare purposes whether the same is located within such county, city or town, or elsewhere; or (iv) private property (a) owned or occupied by an elderly or indigent person or persons where such property has been identified by a citizens housing advisory committee as needing rehabilitation or repair and the property owner has consented to such work or (b) classified as or used as a cemetery where such property has been abandoned and where on such property exist nuisances that have been identified by a municipal corporation for abatement or removal pursuant to § 15.2-1115 or a similar local ordinance. Every person 18 years of age or older who is convicted and confined for any violation of a local ordinance and who is confined as a punishment or for failure to pay a required fine, shall be liable to work in such workforce. Every person 18 years of age or older who is confined pending disposition of a ~~nonviolent criminal offense~~ or an offense under Chapter 5 (§ 20-61 et seq.) of Title 20 *or a criminal offense not listed in § 19.2-297.1* may work in such workforce on a voluntary basis with the approval of and under the supervision of the sheriff *or his designee*.