

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-165.1 of the Code of Virginia, relating to parole; exception to the*
3 *limitation on the application of parole statutes.*

4
5 Approved

[H 33]

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

7 **1. That § 53.1-165.1 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 53.1-165.1. Limitation on the application of parole statutes.**

9 A. The provisions of this article, except §§ 53.1-160 and 53.1-160.1, shall not apply to any sentence
10 imposed or to any prisoner incarcerated upon a conviction for a felony offense committed on or after
11 January 1, 1995. Any person sentenced to a term of incarceration for a felony offense committed on or
12 after January 1, 1995, shall not be eligible for parole upon that offense.

13 B. The provisions of this article shall apply to any person who was sentenced by a jury prior to June
14 9, 2000, for any felony offense committed on or after January 1, 1995, and who remained incarcerated
15 for such offense on July 1, 2020, other than (i) a Class 1 felony or (ii) any of the following felony
16 offenses where the victim was a minor: (a) rape in violation of § 18.2-61; (b) forcible sodomy in
17 violation of § 18.2-67.1; (c) object sexual penetration in violation of § 18.2-67.2; (d) aggravated sexual
18 battery in violation of § 18.2-67.3; (e) an attempt to commit a violation of clause (a), (b), (c), or (d); or
19 (f) carnal knowledge in violation of § 18.2-63, 18.2-64.1, or 18.2-64.2.

20 C. The Parole Board shall establish procedures for consideration of parole of persons entitled under
21 subsection B consistent with the provisions of § 53.1-154.

22 D. Any person who meets eligibility criteria for parole under subsection B and pursuant to
23 § 53.1-151 as of July 1, 2020, shall be scheduled for a parole interview no later than July 1, 2021,
24 allowing for extension of time for reasonable cause.

25 **2. That an emergency exists and this act is in force from its passage.**

REENROLLED

HB33ER2