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SENATE BILL NO. 493

Senate Amendments in [] - January 24, 2020

A *BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric, terminally ill, or permanently physically disabled prisoners.*

Patrons Prior to Engrossment—Senator Bell and Morrissey

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-40.01 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-40.01. Conditional release of geriatric, terminally ill, or disabled prisoners.

A. As used in this section:

"Permanently physically disabled" means having a chronic or progressive medical condition caused by injury, disease, or illness that renders a person permanently and irreversibly physically disabled [and such condition renders the person no longer a threat to society] .

"Terminally ill" means having a chronic or progressive medical condition caused by injury, disease, or illness where the medical prognosis is the person's death within 12 months.

B. Any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, (i) who ~~has reached the age of sixty-five~~ is 65 years of age or older and who has served at least five years of the sentence imposed ~~or~~, (ii) who ~~has reached the age of sixty~~ is 60 years of age or older and who has served at least ~~ten~~ 10 years of the sentence imposed ~~may petition~~, (iii) who is terminally ill, or (iv) who is permanently physically disabled is eligible for consideration by the Parole Board for conditional release. The Parole Board shall promulgate regulations to implement the provisions of this section.

ENGROSSED

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