

20107401D

SENATE BILL NO. 793**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on the Judiciary
on February 3, 2020)

(Patrons Prior to Substitute—Senators McClellan and Morrissey [SB 821])

A BILL to amend and reenact § 53.1-165.1 of the Code of Virginia, relating to parole; exception to the limitation on the application of parole statutes.

Be it enacted by the General Assembly of Virginia:

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

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

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

B. *The provisions of this article shall apply to any person who was sentenced by a jury prior to June 9, 2000, for a noncapital felony offense committed on or after January 1, 1995, and who remained incarcerated for such offense on July 1, 2020.*

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

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