

2020 SESSION

INTRODUCED

20105162D

SENATE BILL NO. 821

Offered January 8, 2020

Prefiled January 8, 2020

*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.*

Patrons—Morrissey; Delegate: Hope

Referred to Committee on Rehabilitation and Social Services

**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, where the jury was not instructed on the abolition of parole in the Commonwealth, 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 allowing for extension of time for reasonable cause.*

D. *Any person entitled under subsection B for consideration of parole shall be given priority for consideration of parole over all other eligible persons. Such persons entitled under subsection B shall have a parole hearing no later than July 1, 2021.*

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