

2021 SPECIAL SESSION I

HOUSE SUBSTITUTE

21200099D

SENATE BILL NO. 1461

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 12, 2021)

(Patron Prior to Substitute—Senator Lewis)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-474.2, relating to bribery in correctional facilities; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-474.2 as follows:

§ 18.2-474.2. *Bribery in correctional facilities; penalty.*

A. Any person who receives any pecuniary benefit or other consideration to act in violation of § 18.2-474 or 18.2-474.1 is guilty of bribery, punishable as a Class 4 felony.

B. Any law-enforcement officer as defined in § 9.1-101, jail officer as defined in § 53.1-1, or correctional officer as defined in § 53.1-1 who violates this section shall be decertified in accordance with § 15.2-1707, if applicable, and shall be forever ineligible for reemployment as a law-enforcement officer, jail officer, or correctional officer in the Commonwealth.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 1289 of the Acts of Assembly of 2020 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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