

2023 SESSION

INTRODUCED

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SENATE BILL NO. 1242

Offered January 11, 2023

Prefiled January 10, 2023

A *BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to geriatric prisoners; conditional release; review hearings.*

Patron—Obenshain

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 prisoners.

A. 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~~ 65 or older and who has served at least five years of the sentence imposed or (ii) who has reached the age of ~~sixty~~ 60 or older and who has served at least ~~ten~~ 10 years of the sentence imposed may petition the Parole Board for conditional release.

B. *The Parole Board shall review annually all petitions for conditional release submitted pursuant to subsection A. However, if after an initial hearing the Parole Board denies any such petition, it may defer a subsequent review for up to three years thereafter.*

C. *In the event that a person who is eligible for parole under § 53.1-151 also files a petition for conditional release pursuant to subsection A, the Parole Board's reviews for such parole and conditional release shall be conducted at a single hearing.*

D. The Parole Board shall promulgate regulations to implement the provisions of this section.

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