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## HOUSE BILL NO. 1102

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions  
on February 3, 1994)

(Patron Prior to Substitute—Delegate Marshall)

*A BILL to amend and reenact § 53.1-106 of the Code of Virginia, relating to members of jail boards or authorities.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 53.1-106 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-106. Members of jail or jail farm board or regional jail authority; powers; payment of pro rata costs.

A. Each regional jail or jail farm shall be supervised and managed by a board to consist of at least one representative from each political subdivision participating therein who shall be appointed by the local governing body thereof. The sheriff and any member of the local governing body of each participating political subdivision shall be eligible for appointment to the jail or jail farm board or regional jail authority. However, when a participating political subdivision appoints more than one representative to a regional jail or jail farm board, the sheriff shall be appointed unless the sheriff is the administrator or superintendent of a correctional facility supervised and managed by the board.

When a political subdivision appoints only one representative to the regional jail or jail farm board or other correctional authority, and no political subdivision appoints a sheriff to the board, the board shall, by majority vote, appoint a sheriff of one of the participating subdivisions a member of the board with all powers of a board member. The sheriff so appointed shall serve for four years or until a participating subdivision selects a sheriff as its board member, whichever shall occur first.

*Political subdivisions may appoint alternate members of the board. Such alternate members shall be selected in the same manner as regular members, except that a sheriff may appoint his own alternate. The term of each alternate shall be determined by the sheriff or the political subdivision, whichever appointed the alternate. If a regular member is not present at a meeting of the board, the alternate for that member shall have all the voting and other rights of a regular member and shall be counted for purposes of determining a quorum at any meeting.*

B. The board shall have the power to:

1. Establish rules and regulations governing the operation of the jail or jail farm not inconsistent with standards of the State Board of Corrections;

2. Purchase land for the jail or jail farm for joint ownership by the participating political subdivisions with the approval of the local governing bodies;

3. Provide for all necessary stock, equipment and structures for the jail or jail farm within the budget approved therefor by the participating political subdivisions; and

4. Appoint a superintendent of such jail or jail farm and necessary guards therefor who shall serve at the pleasure of the board.

The political subdivisions establishing a regional jail or jail farm shall pay their pro rata costs for land, stock, equipment and structures.