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HOUSE BILL NO. 1701

Offered January 17, 1995

A BILL to amend and reenact § 14.1-70 of the Code of Virginia, relating to fixing number of full-time positions allotted to sheriff by Compensation Board.

Patrons—Croshaw, Abbitt, Clement, Cooper, Cunningham, Hall, Jackson, Stump and Thomas

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That § 14.1-70 of the Code of Virginia is amended and reenacted as follows:

§ 14.1-70. Number of deputies.

A. Except as provided in § 15.1-48 of the Code of Virginia, the respective number of full-time deputies positions appointed by allotted to the sheriff of a county or city shall be fixed by the Compensation Board after receiving such recommendation of requests and recommendations from the board of supervisors of the county or, the council of the city, or the sheriff, as the case may be, as the board of supervisors or, the city council, or the sheriff may desire to make. Such recommendation Requests and recommendations, if any, shall be made to the Compensation Board on or before April February 1 of each year.

B. In any county without a police force, upon:

1. Upon the request of the board of supervisors of such county sheriff, the number of such law-enforcement deputies shall be fixed at not less than one such deputy for each 2,000 population in such county excluding the population served by state educational institution police departments if the sheriff's department does not provide the majority of the law-enforcement activities to such population according to uniform crime reports compiled by the Department of State Police. The Compensation Board shall also consider any agreement the sheriff may have pursuant to § 15.1-131.3 and any obligation he the sheriff may have pursuant to this section to provide law enforcement for towns in fixing the number of deputies.

2. Beginning July 1, 1996, upon the request of the sheriff, the minimum number of deputies fixed for service of process shall be based upon six papers served per hour in all cities and in counties with a population of 100,000 and above, three papers served per hour in counties with a population of 70,000 to 99,999, and two papers served per hour in counties with a population of less than 70,000, and 1,750 hours per year of available time per deputy.

3. Beginning July 1, 1996, upon the request of the sheriff, the number of deputies fixed for courtroom and courthouse security shall be based upon a minimum of two deputies in circuit court, one in general district court, and one in juvenile and domestic relations court for criminal cases at eight hours per day per deputy when court is in session and 1,750 hours per year of available time per deputy.

C. The governing body of any county or city may employ a greater number of law-enforcement deputies than fixed by the Compensation Board, provided that the county or city shall pay the total compensation and all employer costs for such additional deputies.

2. That no positions shall be abolished between July 1, 1996 and June 30, 1997 in any sheriff's office in which the number of positions exceeds the standards established in this act. However, positions which become vacant after July 1, 1997, in any sheriff's office in which the number of positions exceeds the standards established in this act shall be reallocated by the Compensation Board to other sheriffs' offices whose staffing levels do not meet the minimum standards of this act.

INTRODUCED

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