

# 1995 RECONVENED SESSION

ENROLLED

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act to amend and reenact §§ 53.1-183 and 53.1-185.2 of the Code of Virginia, relating to community criminal justice boards and programs.*

[H 2350]

Approved

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

**1. That §§ 53.1-183 and 53.1-185.2 of the Code of Virginia are amended and reenacted as follows:**

§ 53.1-183. Community criminal justice boards.

Each county or city or combination thereof developing and establishing a community corrections program pursuant to the provisions of this article shall establish a community criminal justice board. Each county and city participating in a community corrections program shall be represented on a community criminal justice board. *In the event that one county or city appropriates funds to the program as part of a multijurisdictional effort, any other participating county or city shall be considered to be participating in a program if such locality appropriates funds to the program.* The board shall include an equal number of appointments to be made by the governing body of each county or city participating in the program. In addition, the following shall be members of the board in a total number equal to local governing body representatives less one: the chief judges of the circuit court, the general district court, and the juvenile and domestic relations district court of each participating city or county; the chief of police of each participating city or county or the sheriff in a county not served by a police department; the attorney for the Commonwealth of each participating city or county; an attorney from a participating city or county who is experienced in the defense of criminal matters, to be appointed by the chief judges of the circuit courts; and the regional jail administrator or the sheriff in those cities or counties not served by a regional jail.

§ 53.1-185.2. Funding; failure to comply; prohibited use of funds.

A. Counties and cities shall be required to establish a community corrections program under this article only to the extent funded by the Commonwealth through the general appropriation act.

B. The Department of Criminal Justice Services shall periodically review each program established under this article to determine compliance with the submitted plan and operating standards. If the Department determines that a program is not in substantial compliance with the submitted plan or standards, the Department may suspend all or any portion of financial aid made available to the locality for purposes of this article until there is compliance.

C. Funding shall be used for the provision of services and operation of programs and facilities but shall not be used for capital expenditures.

D. The Department, in conjunction with local boards, shall establish a statewide system of supervision and intervention fees to be paid by offenders participating in programs established under this act for reimbursement towards the costs of their supervision.

E. Any supervision or intervention fees collected by local programs established under this act shall be collected pursuant to procedures established by the Department of Criminal Justice Services. All such fees shall be deposited in the general fund in accordance with procedures established by the Department of Criminal Justice Services retained by the locality serving as fiscal agent and shall be utilized for program expansion and program development, or to supplant local costs of the program operation. Any program collecting such fees shall keep records of the collected fees, report the amounts to the locality serving as fiscal agent and make all records available to the community criminal justice board. Such fees shall be in addition to those imposed pursuant to § 53.1-150.

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