

1995 SESSION

SENATE SUBSTITUTE

LD4320729

SENATE BILL NO. 544

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services
on February 4, 1994)

(Patron Prior to Substitute—Senator Saslaw)

A BILL to amend and reenact § 53.1-136 of the Code of Virginia, relating to powers and duties of the Parole Board.

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-136 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-136. Powers and duties of Board.

In addition to the other powers and duties imposed upon the Board by this article, the Board shall:

1. Adopt, subject to approval by the Governor, general rules governing the granting of parole;

2. Release on parole, in accordance with its rules, for such time and upon such terms and conditions as the Board shall prescribe, persons convicted of felonies and confined under the laws of the Commonwealth in any correctional facility in Virginia when those persons become eligible and are found suitable for parole. *However, for those persons convicted on and after July 1, 1994, of any of the following violations of Chapter 4 (§ 18.2-30 et seq.), release shall be by an affirmative vote of at least four members:*

a. Murder and voluntary manslaughter under Article I;

b. Mob-related felonies under Article 2;

c. Any kidnapping or abduction felony under Article 3;

d. Any felony assault or bodily wounding under Article 4;

e. Robbery under § 18.2-58; and

f. Any criminal sexual assault punishable as a felony under Article 7;

3. Revoke parole and order the reincarceration of any parolee when, in the judgment of the Board, he has violated the conditions of his parole or is otherwise unfit to be on parole;

4. Issue final discharges to persons released by the Board on parole when the Board is of the opinion that the discharge of the parolee will not be incompatible with the welfare of such person or of society;

5. Make investigations and reports with respect to any commutation of sentence, pardon, reprieve or remission of fine or penalty when requested by the Governor; and

6. Publish monthly a statement regarding the action taken by the Board on the parole of prisoners. The statement shall list the name of each prisoner considered for parole and indicate whether parole was granted or denied.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$18,429,580.

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