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SENATE BILL NO. 568

Offered January 25, 1994

A *BILL to amend and reenact § 53.1-199 of the Code of Virginia, relating to ineligibility for good conduct allowance.*

Patrons—Saslaw, Bell, Calhoun, Howell, Reasor, Stolle, Trumbo and Woods

Referred to the Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:**1. That § 53.1-199 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-199. Eligibility for good conduct allowance; application; ineligibility.

Every person who, on or after July 1, 1981, has been convicted of a felony and every person convicted of a misdemeanor and to whom the provisions of §§ 53.1-151, 53.1-152 or § 53.1-153 apply, and every person who, in accordance with § 53.1-198, chooses the system of good conduct allowances set out herein, may be entitled to good conduct allowance not to exceed the amount set forth in § 53.1-201. Such good conduct allowance shall be applied to reduce the person's maximum term of confinement while he is confined in any state correctional facility. One-half of the credit allowed under the provisions of § 53.1-201 shall be applied to reduce the period of time a person shall serve before being eligible for parole.

Any person who, on or after July 1, 1993, *and before July 1, 1994*, has been sentenced upon a conviction of murder in the first degree; *or* rape in violation of § 18.2-61, *and any person who, on or after July 1, 1993, has been sentenced upon conviction of* forcible sodomy, animate or inanimate object sexual penetration or aggravated sexual battery and any person who has been sentenced to a term of life imprisonment or two or more life sentences shall be classified within the system established by § 53.1-201. Such person shall be eligible for no more than ten days good conduct credit for each thirty days served, regardless of the class to which he is assigned. One-half of such credit shall be applied to reduce the period of time he shall serve before being eligible for parole. Additional good conduct credits may be approved by the Board for such persons in accordance with § 53.1-191.

Any person who, on or after July 1, 1994, has been sentenced upon conviction of murder, abduction in violation of § 18.2-48 or § 18.2-48.1, robbery in violation of § 18.2-58 or rape in violation of § 18.2-61 shall not receive any good conduct allowance.

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 \$18,565,520 in FY 2004.....

INTRODUCED

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