

VIRGINIA ACTS OF ASSEMBLY -- 1997 RECONVENED SESSION

CHAPTER 775

An Act to amend and reenact § 53.1-20.1 of the Code of Virginia, relating to compensation of local jails for cost of incarceration.

[S 677]

Approved April 2, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-20.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-20.1. Compensation of local jails for cost of incarceration.

~~Beginning July 1, 1996,~~ If the Director is unable to accommodate in a state correctional facility any convicted felon *sentenced to the Department for a felony committed before January 1, 1995, whose sentence totals more than two years or who is convicted of a felony committed on or after January 1, 1995, and* who is required to serve a total period of ~~more than six months~~ *one year or more* in a state correctional facility, the Department of Corrections shall compensate local jails for the cost of incarceration *as provided for in the general appropriation act beginning sixty days after the date of sentencing of such felon as provided for in the general appropriations act. Between July 1, 1991, and July 1, 1996, the Department shall compensate local jails, as provided for in the appropriations act, (i) for the cost of incarceration, on and after the date of sentencing, of any felon sentenced to the Department for a felony committed before January 1, 1995, whose sentence totals more than two years and whose transfer to a state correctional facility is not yet required pursuant to § 53.1-20, (ii) for the cost of incarceration, on and after the date of sentencing, of any felon required to serve a sentence in the Department for a felony committed on or after January 1, 1995, whose sentence totals more than six months and whose transfer to a state correctional facility is not yet required pursuant to § 53.1-20, (iii) for the cost of incarceration of any felon sentenced to the Department for a felony committed before January 1, 1995, whose sentence totals more than two years and whose transfer to a state correctional facility is required pursuant to § 53.1-20 and who remains in the local jail for longer than sixty days after the Director's receipt of the complete final order sentencing such felon, and (iv) for the cost of incarceration of any felon required to serve a sentence in the Department for a felony committed on or after January 1, 1995, whose sentence totals more than six months and whose transfer to a state correctional facility is required pursuant to § 53.1-20 and who remains in the local jail for longer than sixty days after the Director's receipt of the complete final orders sentencing such felon on the sixty-first day following the date of mailing by certified letter or electronic transmittal by the clerk of the committing court to the Director of the final order.*