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HOUSE BILL NO. 1017

Offered January 22, 1996

A BILL to amend the Code of Virginia by adding a section numbered 53.1-111.1, relating to work by inmates.

Patron—Rollison

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 53.1-111.1 as follows:**

§ 53.1-111.1. Inmates performing work for localities and state agencies; payment of costs; bond on person in charge of inmates; disbursement of wages.

Notwithstanding the provisions of § 53.1-129, the board of any regional jail or jail farm is authorized to enter into agreements with the proper authorities of any local, regional or state entity in the Commonwealth to perform public works as determined to be appropriate. The local, regional or state entity for which such work is performed shall pay to the jail superintendent in monthly installments such sum as is necessary to cover the costs of work done by such inmates.

The local, regional or state entity that has the use of inmate labor authorized by this section shall designate the projects to be worked. It shall furnish all engineering services, tools, implements, machinery and equipment used in such projects; shall secure rights of way; and shall furnish such foremen as the board deems necessary and acceptable to direct the work.

In the event that a person other than the jail superintendent is designated by the court to have charge of such inmates while so working, the court shall require a bond of the person, in an amount to be determined by the Board, conditioned upon the faithful discharge of his duties. The jail superintendent shall not be held responsible for any acts of omission or commission on the part of such person.

Any wages earned pursuant to this section by an inmate shall be paid to the jail superintendent who shall apply standard payroll deductions required by law. The jail superintendent shall, in accordance with regulations promulgated by the Board, deduct from such wages, in the following order of priority, an amount to:

1. Meet the obligation of any judicial or administrative order to provide support and such funds shall be disbursed according to the terms of such order;

2. Pay any fines, restitution or costs as ordered by the court;

3. Pay travel and other such expenses made necessary by the work program; and

4. Defray the inmate's keep.

The balance of such wages after appropriate deductions shall be credited to the inmate's account or sent to his family in an amount the inmate so chooses.

The Board shall promulgate regulations to govern the work programs authorized by this section.

INTRODUCED

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