

972262140

HOUSE BILL NO. 2731

Offered January 20, 1997

A *BILL to amend and reenact § 53.1-150 of the Code of Virginia, relating to contributions by misdemeanants.*

Patrons—Bryant, Barlow, Crouch and Kilgore; Senator: Newman

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-150 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-150. Contributions by persons on parole, probation, and work release and certain misdemeanants.

A. Any person convicted of a felony, multiple felonies or a combination of felonies and misdemeanors and who is sentenced to incarceration in a local or state correctional facility, or who is granted suspension of sentence and probation by a court of competent jurisdiction, or who is participating in a community corrections program as provided in § 53.1-181, or who is participating in a home/electronic incarceration program as provided in § 53.1-131.2, shall be required to pay a fee of \$200 towards the cost of his confinement, supervision or participation as a condition of his sentence.

B. Any person convicted of a misdemeanor or multiple misdemeanors and who is sentenced to incarceration in a local correctional facility, or who is granted suspension of sentence and probation by a court of competent jurisdiction, or who is participating in a community corrections program as provided in § 53.1-181, or who is participating in a home/electronic incarceration program as provided in § 53.1-131.2, shall be required to pay a fee of fifty dollars towards an amount ordered by the court to defray the cost of his confinement, supervision, or participation as a condition of his sentence, which amount shall be the actual cost of his confinement, supervision, or participation but shall not exceed that amount charged to the Compensation Board for purposes of reimbursement as provided in the general appropriation act.

C. In the event of multiple convictions under any of the above provisions, the fees imposed herein shall be assessed on a pro rata basis. Such fees shall be in addition to any other costs or fees provided by law. All fees assessed pursuant to this section for the cost of confinement, supervision, or participation shall be paid to the clerk of the sentencing court. ~~All such funds~~ Funds collected pursuant to this section subsection A shall be deposited in the general fund of the state treasury. Funds collected pursuant to subsection B shall be returned to the locality where the misdemeanor is confined, supervised, or participating.

~~B. D.~~ D. The sentencing court may exempt a defendant from the requirements of ~~subsection A~~ this section on the grounds of unreasonable hardship. Any defendant who is exempted from the requirements of ~~subsection A~~ this section shall be required to perform community service as an alternative to the contribution toward the cost of his confinement, supervision or participation.

~~C. E.~~ E. Any person (i) who is granted parole or (ii) who participates in a work release program pursuant to the provisions of §§ 53.1-60 and 53.1-131 shall be required to pay the fee required in ~~subsection A~~ this section as a condition of parole or work release.

INTRODUCED

HB2731