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## HOUSE BILL NO. 1408

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services  
on February 27, 1998)

(Patron Prior to Substitute—Delegate Joannou)

*A BILL to amend and reenact § 53.1-106 of the Code of Virginia, relating to members of jail or jail farm board or regional jail authority.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 53.1-106 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-106. Members of jail or jail farm board or regional jail authority; powers; payment of pro rata costs.

A. Each regional jail or jail farm shall be supervised and managed by a board *or authority* to consist of ~~at least the sheriff from each participating political subdivision, and~~ one representative from each political subdivision participating therein who shall be appointed by the local governing body thereof except as provided herein. ~~The sheriff and any~~ Any member of the local governing body of each participating political subdivision shall be eligible for appointment to the jail or jail farm board or regional jail authority. However, ~~when a participating political subdivision appoints more than one representative to a regional jail or jail farm board, the sheriff shall be appointed unless the sheriff is the no one shall serve as a member of the board or authority who serves as an~~ administrator or superintendent of a correctional facility supervised and managed by the board.

~~When a political subdivision appoints only one representative to the regional jail or jail farm board or other correctional authority, and no political subdivision appoints a sheriff to the board, a sheriff of one of the participating subdivisions shall be appointed by majority vote of the sheriffs of the participating subdivisions as a member of the board with all powers of a board member. The sheriff so appointed shall serve for four years or until a participating subdivision selects a sheriff as its board member, whichever shall occur first.~~

Political subdivisions may appoint alternate ~~Alternate~~ members ~~of may be appointed to~~ the board. Such alternate members shall be selected in the same manner as regular members, except that a sheriff may appoint his own alternate. The term of each alternate shall be determined by the sheriff or the political subdivision, whichever appointed the alternate. If a regular member is not present at a meeting of the board, the alternate for that member shall have all the voting and other rights of a regular member and shall be counted for purposes of determining a quorum at any meeting.

B. The board shall have the power to:

1. Establish rules and regulations governing the operation of the jail or jail farm not inconsistent with standards of the State Board of Corrections;

2. Purchase land for the jail or jail farm for joint ownership by the participating political subdivisions with the approval of the local governing bodies;

3. Provide for all necessary stock, equipment and structures for the jail or jail farm within the budget approved therefor by the participating political subdivisions; and

4. Appoint a superintendent of such jail or jail farm and necessary jail officers therefor who shall serve at the pleasure of the board.

The political subdivisions establishing a regional jail or jail farm shall pay their pro rata costs for land, stock, equipment and structures.