

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 277

*An Act to amend and reenact § 53.1-129 of the Code of Virginia, relating to order permitting prisoners to work on public, nonprofit, or community improvement projects.*

[H 1951]

Approved March 21, 1999

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

**1. That § 53.1-129 of the Code of Virginia is amended and reenacted as follows:**

§ 53.1-129. Order permitting prisoners to work on state, county, city, town or nonprofit organization property or community improvement projects; bond of person in charge of prisoners.

The judge of the circuit court of any county or city may, by order entered of record, allow persons confined in the jail of such county or city who are awaiting disposition of, or serving sentences imposed for, misdemeanors or felonies to work on (i) state, county, city or town property ~~or~~, (ii) any property owned by a nonprofit organization which is exempt from taxation under 26 U.S.C. § 501 (c) (3) or (c) (4) and which is organized and operated exclusively for charitable or social welfare purposes on a voluntary basis with the consent of the county, city, town or state agency or the local public service authority or upon the request of the nonprofit organization involved, *or (iii) private property which is part of a community improvement project sponsored by a locality.* The judge of the district court of any county or city may allow persons confined in the jail of such county or city who are awaiting disposition of, or serving sentences imposed for, misdemeanors to work on (i) state, county, city or town property ~~or~~, (ii) any property owned by a nonprofit organization which is exempt from taxation under 26 U.S.C. § 501 (c) (3) or (c) (4) and which is organized and operated exclusively for charitable or social welfare purposes on a voluntary basis with consent of the county, city, town or state agency or the local public service authority or upon the request of the nonprofit organization involved, *or (iii) private property which is part of a community improvement project sponsored by a locality.* Prisoners performing work as provided in this paragraph shall receive credit on their respective sentences for the work done, whether such sentences are imposed prior or subsequent to the work done, as the court may in the order prescribe.

The judge may, by order entered of record, require a person convicted of a felony to work on state, county, city or town property, with the consent of the county, city, town or state agency or the local public service authority involved, for such credit on his sentence as the judge may prescribe in his order.

In the event that a person other than the sheriff or jail superintendent is designated by the court to have charge of such prisoners while so working, the court shall require a bond of the person, in an amount to be fixed by the court, conditioned upon the faithful discharge of his duties. Neither the sheriff nor the jail superintendent shall be held responsible for any acts of omission or commission on the part of such person.