

1999 SESSION

INTRODUCED

990425130

HOUSE BILL NO. 1545

Offered January 13, 1999

Prefiled January 11, 1999

A BILL to amend the Code of Virginia by adding a section numbered 53.1-206.1, relating to persons held in custody being transported to certain court or court-related appearances.

Patron—Blevins

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 53.1-206.1 as follows:

§ 53.1-206.1. Persons held in custody may be transported to certain court or court-related appearances; transportation request certificate.

A person held in the custody of any state or regional correctional facility or any local or regional jail shall be transported to a court or other facility within the Commonwealth for an appearance as a witness or a defendant upon presentation of a transportation request certificate signed by any judge, the circuit or district court clerk or his deputy, or the attorney for the Commonwealth of the requesting jurisdiction within the Commonwealth, stating that:

1. There is a criminal prosecution pending in such court or a grand jury investigation has commenced or is about to commence;

2. The person is a defendant or witness in such prosecution or grand jury investigation, and his presence is required at the time stated;

3. The officer presenting the certificate is authorized to receive custody of the person and will retain him in the officer's custody until his return; and

4. The person will be safely returned to the custody of the sheriff or director of the facility from which the person was transported at the conclusion of the proceeding for which the person's presence was required.

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