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SENATE BILL NO. 1231

Offered January 21, 1999

A BILL to amend and reenact § 4 of Chapter 726 of the Acts of Assembly of 1990, and § 6 of Chapter 726 of the Acts of Assembly of 1990, as amended by Chapter 228 of the Acts of Assembly of 1993, relating to the Riverside Regional Jail Authority.

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Patrons—Marsh, Gartlan, Lambert, Martin, Ticer and Watkins; Delegates: Barlow, Cox, DeBoer, Ingram, McEachin, Nixon, Phillips, Plum, Reid and Ware

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Referred to Committee on Local Government

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Be it enacted by the General Assembly of Virginia:

1. That § 4 of Chapter 726 of the Acts of Assembly of 1990, and § 6 of Chapter 726 of the Acts of Assembly of 1990 as amended by Chapter 228 of the Acts of Assembly of 1993, are amended and reenacted as follows:

§ 4. Members.

The Authority shall consist of ~~seven~~ *fourteen* members, unless increased as provided for herein, who are to be appointed *or shall serve* as follows:

1. One member to be appointed by the Board of supervisors of the County of Charles City, Virginia*, and the sheriff of the County*;

2. One member to be appointed by the Board of Supervisors of the County of Chesterfield, Virginia*, and the sheriff of the County*;

3. One member to be appointed by the City Council of the City of Colonial Heights*, Virginia, and the sheriff of the City*;

4. One member to be appointed by the City Council of the City of Hopewell, Virginia*, and the sheriff of the City*;

5. One member to be appointed by the City Council of the City of Petersburg, Virginia*, and the sheriff of the City*;

6. One member to be appointed by the Board of Supervisors of the County of Prince George, Virginia*, and the sheriff of the County*; and

7 One member to be appointed by the Board of Supervisors of the County of Surry, Virginia*, and the sheriff of the County.*

No member of the governing body of the County of Chesterfield, the County of Charles City, the City of Colonial Heights, the City of Hopewell, the City of Petersburg, the County of Prince George, or the County of Surry may be a member of the Authority.

All *nonsheriff* members of the Authority shall serve for a term of four years. The initial term of office shall extend from the organizational meeting of the Authority until the Authority's annual meeting four years thereafter. Any *nonsheriff* member of the Authority may be appointed to succeed himself. Each duly appointed *nonsheriff* member shall hold office until his successor shall be duly appointed. Any vacancy in the *nonsheriff* membership of the Authority, whether caused by expiration of term of office, death, resignation, or otherwise, shall be filled by the governing body of the city or county which appointed the member whose membership is then vacant. Any member shall serve only until the expiration of the term he was appointed to fill. *Sheriffs shall serve a term coexistent with their term as sheriff.*

Notwithstanding any other provision of law, special or general, alternate members may be appointed to the Authority by the governing body of the city or county in the same manner as regular members. If a regular member is not present at the meeting of the Authority, 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. Alternates may not be appointed for the sheriff members of the Authority.

§ 6. Voting.

A majority of the members of the Authority shall constitute a quorum. A majority of the quorum is empowered to exercise all of the rights and perform all of the duties of the Authority, except where specifically provided otherwise herein or by agreement between the Authority and the participating jurisdictions, and no vacancy on the Authority shall impair the right of the quorum to act. *In the event such agreement requires the affirmative vote of the jurisdictions holding a majority of prisoners in the jail for certain actions to be effective, the vote of the members appointed by the governing bodies or their alternates shall be the only votes counted for such purposes.*