

2008 SESSION

INTRODUCED

081007544

HOUSE BILL NO. 459

Offered January 9, 2008

Prefiled January 4, 2008

A *BILL to amend and reenact § 53.1-218 of the Code of Virginia, relating to reports on alien status of offenders.*

Patron—Albo

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-218 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-218. Duty of officer in charge to inquire as to citizenship; notice to federal immigration officer of commitment of alien.

Whenever any person is *arrested and confined in, or otherwise* committed to, a correctional facility, ~~it shall be the duty of~~ the director, sheriff or other officer in charge of such facility ~~to~~ *shall* inquire as to whether the person is a citizen of the United States, and if he is not, such director, sheriff or other officer shall inquire *of the Law Enforcement Support Center of the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security* as to the person's alien status.

If it appears that the person is an alien, the director, sheriff or other officer in charge of the facility shall immediately notify the Central Criminal Records Exchange. However, notification need not be made if it is apparent that a report on alien status has previously been made to the Exchange pursuant to § 19.2-294.2.

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