

2013 SESSION

HOUSE SUBSTITUTE

13104121D

HOUSE BILL NO. 1635

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Militia, Police and Public Safety
on January 25, 2013)

(Patron Prior to Substitute—Delegate Cosgrove)

A *BILL to allow for certain waivers for the City of Chesapeake for temporary structures for housing inmates.*

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Board of Corrections may provide a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities" to the City of Chesapeake involving the City's use of one or more of the current temporary structures for housing community custody inmates. Such waiver shall be for a time period not to exceed five years. If construction of a permanent facility, enlargement of an existing facility, or approval of an alternative housing agreement is not completed at the time of the expiration of the waiver, the Board of Corrections may grant a one-year extension no more than twice. If such extensions are granted, the city shall lose 25 percent of eligible reimbursement for each year of extension. In no event shall any temporary structure be utilized for more than seven years. Such temporary structure shall comply with all the applicable provisions of the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code for the designated use and occupancy. Such waiver shall not relieve the City of the requirement for submission and Board approval of a community-based corrections plan and a planning study. As a condition of the waiver, the City shall provide the Board of Corrections with an annual update on the progress of a permanent facility, enlargement of an existing facility, or plan for implementation of alternative housing on July 1 of each year. The City of Chesapeake shall not be eligible for the construction funding reimbursement for the temporary housing structures authorized pursuant to §§ 53.1-5, 53.1-80, 53.1-81, and 53.1-82. Priority for the use of any temporary structure for use by the City of Chesapeake shall be given to housing local-responsible offenders assigned to a work-release program, local-responsible offenders within 60 days of release and assigned to a re-entry program, and local-responsible offenders who are required to serve their sentences on weekends.*

2. That an emergency exists and this act is in force from its passage.

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HB1635H1