

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric prisoners; persons subject to protective orders ineligible.

[H 868]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-40.01 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-40.01. Conditional release of geriatric prisoners.

Any person serving a sentence imposed upon a conviction for a felony offense, other than (i) a Class 1 felony or (ii) a felony act of violence as defined in § 19.2-297.1 where at the time of the offense or after the offense but prior to being released from incarceration for the offense the person was subject to a protective order issued pursuant to § 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 18.2-60.3, 19.2-152.8, 19.2-152.9, 19.2-152.10, or subsection B of 20-103 and the victim of the felony offense was the protected person under such order, ~~(i)~~ (a) who has reached the age of ~~sixty-five~~ 65 or older and who has served at least five years of the sentence imposed or ~~(ii)~~ (b) who has reached the age of ~~sixty~~ 60 or older and who has served at least ~~ten~~ 10 years of the sentence imposed may petition the Parole Board for conditional release. The Parole Board shall promulgate regulations to implement the provisions of this section.