

VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 102

An Act to amend the Code of Virginia by adding in Chapter 10 of Title 53.1 a section numbered 53.1-220.2, relating to transfer of incarcerated persons to Immigration and Customs Enforcement.

[S 1361]

Approved March 10, 2015

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 10 of Title 53.1 a section numbered 53.1-220.2 as follows:

§ 53.1-220.2. Transfer of certain incarcerated persons to Immigration and Customs Enforcement.

The Director, sheriff, or other official in charge of the facility in which an alien is incarcerated may, upon receipt of a detainer from U.S. Immigration and Customs Enforcement, transfer custody of the alien to U.S. Immigration and Customs Enforcement no more than five days prior to the date that he would otherwise be released from custody. Upon transfer of custody, notwithstanding any other provision of law, the alien shall receive credit for the number of days remaining before he would otherwise have been released.