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HOUSE BILL NO. 1403

Offered January 14, 2015

Prefiled December 18, 2014

A *BILL to amend and reenact § 53.1-1.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.2, relating to telephone systems within correctional facilities.*

Patron—Hope

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-1.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.2 as follows:

§ 53.1-1.1. Telephone systems within correctional facilities.

The Department of Corrections shall offer debit or prepaid telephone systems, in addition to any existing collect calling systems, which allow telephone calls to be placed to the telephone number or numbers on an approved call list. Such telephone systems ~~may~~ *shall* be established with the lowest available rates *allowing for the security needs of the institutions.*

Commission payments to the Commonwealth or agencies thereof from the companies that provide inmate phone services shall not exceed 10 percent of the overall net revenue realized by the provider. Any and all commissions or revenues received by the Commonwealth on prisoner telephone calls shall be paid into the state treasury and credited to the Prisoner Reentry Fund established in § 53.1-1.2 and shall be used for independent pre-release and post-release reentry and transition services programs, such as those supported by charitable and faith-based organizations.

§ 53.1-1.2. Prisoner Reentry Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Prisoner Reentry Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All payments received as a result of the telephone systems required by § 53.1-1.1 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of independent pre-release and post-release reentry and transition services programs. The Department of Criminal Justice Services shall determine which organizations shall receive money from the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Criminal Justice Services.

INTRODUCED

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