

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 10 of Title 53.1 a section numbered*  
3 *53.1-220.2, relating to transfer of incarcerated persons to Immigration and Customs Enforcement.*

4 [S 1361]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Chapter 10 of Title 53.1 a section numbered**  
8 **53.1-220.2 as follows:**

9 **§ 53.1-220.2. *Transfer of certain incarcerated persons to Immigration and Customs Enforcement.***

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

ENROLLED

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