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SENATE BILL NO. 216

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on February 10, 2016)

(Patron Prior to Substitute—Senator Marsden)

A BILL to amend and reenact § 53.1-165.1 of the Code of Virginia, relating to limitation on the application of parole statutes.

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-165.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-165.1. Limitation on the application of parole statutes.

A. The provisions of this article, except §§ 53.1-160 and 53.1-160.1, shall not apply to any sentence imposed or to any prisoner incarcerated upon a conviction for a felony offense committed on or after January 1, 1995. Any person sentenced to a term of incarceration for a felony offense committed on or after January 1, 1995, shall not be eligible for parole upon that offense.

B. *The provisions of this article shall apply to any person who was sentenced by a jury prior to June 9, 2000, for a felony offense that is not a violent felony offense as defined in § 17.1-805, committed on or after January 1, 1995, where the jury was not instructed on the abolition of parole, and who remains incarcerated for such offense on the effective date of this subsection.*

C. *The Parole Board shall establish procedures for consideration of parole of persons entitled under subsection B consistent with the provisions of § 53.1-154 allowing for extension of time for reasonable cause.*

SENATE SUBSTITUTE

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