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SENATE BILL NO. 1040

Senate Amendments in [] - January 18, 2019

A *BILL to amend and reenact § 53.1-20.1 of the Code of Virginia, relating to compensation of local jails for cost of incarceration.*

Patrons Prior to Engrossment—Senator Peake; Delegate: Kory

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-20.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-20.1. Compensation of local jails for cost of incarceration.

If the Director is unable to accommodate in a state correctional facility any convicted felon sentenced to the Department for a felony committed before January 1, 1995, whose sentence totals more than two years or who is convicted of a felony committed on or after January 1, 1995, and who is required to serve a total period of one year or more in a state correctional facility, the Department of Corrections shall compensate local jails for the *actual* cost of incarceration as ~~provided for~~ *calculated* in the ~~general appropriation act~~ *jail cost report prepared annually by the Compensation Board* beginning on the sixty-first day following the date of mailing by certified letter or electronic transmittal by the clerk of the committing court to the Director of the final order.

[**2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2019 by the General Assembly that becomes law.]**

ENGROSSED

SB1040E