

20108206D

HOUSE BILL NO. 33**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on the Judiciary
on February 12, 2020)

(Patron Prior to Substitute—Delegate Lindsey)

A BILL to amend and reenact § 53.1-165.1 of the Code of Virginia, relating to parole; exception to the 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 noncapital felony offense committed on or after January 1, 1995, and who remained incarcerated for such offense on July 1, 2020.

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.

D. Any person who meets eligibility criteria for parole under subsection B and pursuant to § 53.1-151 as of July 1, 2020, shall be scheduled for a parole interview no later than July 1, 2021, allowing for extension of time for reasonable cause.

SENATE SUBSTITUTE

HB33S1