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SENATE BILL NO. 108

Offered January 8, 2020

Prefiled December 11, 2019

A *BILL to amend and reenact § 30-156 of the Code of Virginia, relating to Virginia State Justice Commission; purpose; membership.*

Patrons—Surovell; Delegate: Kory

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 30-156 of the Code of Virginia is amended and reenacted as follows:

§ 30-156. Virginia State Justice Commission; purpose; membership; terms; compensation and expenses; quorum; voting on recommendations.

A. The Virginia State ~~Crime Justice~~ Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to study, report, and make recommendations on all areas of public safety ~~and~~, protection, *diversion, rehabilitation, reentry, collateral consequences of conviction, gun violence prevention, and equity and fairness in the criminal legal system.* In so doing it shall endeavor to ascertain the causes of crime and recommend ways to reduce and prevent it; explore and recommend methods of rehabilitation of ~~convicted criminals, individuals involved in the criminal legal system; consider changes to the criminal code to enhance equity and fairness;~~ study compensation of persons in law enforcement, *probation, parole, prosecution, criminal defense,* and related fields; and study other related matters including apprehension, *diversion,* trial ~~and~~, punishment, *restoration, and reentry of criminal offenders* persons involved in the criminal legal system. The Commission shall make such recommendations as it deems appropriate with respect to the foregoing matters, and shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting crimes, crime control ~~and~~, criminal procedure, *diversion, rehabilitation, restoration, and reentry.* The Commission shall cooperate with the executive branch of state government, the Attorney General's office, *the Virginia Indigent Defense Commission,* and the judiciary who are in turn encouraged to cooperate with the Commission. The Commission shall cooperate with governments and governmental agencies of other states and the United States.

B. The Commission shall consist of 13 members that include ~~nine~~ *six* legislative members, ~~three~~ *four* nonlegislative citizen members, and ~~one~~ *three* state ~~official~~ *officials* as follows: ~~six~~ *three* members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members to be appointed by the Governor; ~~and~~ the Attorney General or his designee; *the executive director of the Virginia Indigent Defense Commission or his designee; the Superintendent of State Police or his designee; and one nonlegislative citizen member to be appointed by the Secretary of Public Safety and Homeland Security with an expertise in offender rehabilitation, reform and reentry.* Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved by the chairman of the Commission, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

C. The term of each appointee shall be for two years, except that the Attorney General and legislative members shall serve terms coincident with their terms of office. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

D. The Commission shall elect a chairman and vice-chairman annually, who shall be members of the General Assembly. A majority of the members of the Commission shall constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

E. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments, however, shall come from existing appropriations to the Commission.

F. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and

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59 (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.