

20107456D

SENATE BILL NO. 91**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on the Judiciary
on February 3, 2020)

(Patrons Prior to Substitute—Senators Edwards and Morrissey [SB 809])

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 *violent felony offense, as defined by subsection C of § 17.1-805*, committed on or after January 1, 1995. Any person sentenced to a term of incarceration for a *violent felony offense, as defined by subsection C of § 17.1-805*, 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 sentence imposed or to any prisoner incarcerated upon a conviction for a felony offense, other than a violent felony as defined by subsection C of § 17.1-805, committed on or after January 1, 1995. Any person sentenced to a term of incarceration for a felony offense, other than a violent felony as defined by subsection C of § 17.1-805, committed on or after January 1, 1995, shall be eligible for parole upon that offense.*

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.*