

# 2020 SPECIAL SESSION I

INTRODUCED

20200517D

## HOUSE BILL NO. 5053

Offered August 18, 2020

Prefiled August 17, 2020

A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric, terminally ill, or permanently physically disabled prisoners.

Patrons—Subramanyam and Kory

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

1. That § 53.1-40.01 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-40.01. Conditional release of geriatric, terminally ill, or disabled prisoners.

A. As used in this section:

"Permanently physically disabled" means having a chronic or progressive medical condition caused by injury, disease, or illness that renders a person permanently and irreversibly physically disabled and such condition renders the person no longer a threat to society.

"Terminally ill" means having a chronic or progressive medical condition caused by injury, disease, or illness where the medical prognosis is the person's death within 12 months.

B. Any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, (i) who has reached the age of sixty-five is 65 years of age or older and who has served at least five years of the sentence imposed or, (ii) who has reached the age of sixty is 60 years of age or older and who has served at least ten 10 years of the sentence imposed may petition, (iii) who is terminally ill, or (iv) who is permanently physically disabled is eligible for consideration by the Parole Board for conditional release. The Parole Board shall promulgate regulations to implement the provisions of this section.

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HB5053