

20201138D

SENATE BILL NO. 5018

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations
on September 3, 2020)

(Patron Prior to Substitute—Senator Bell)

Senate Amendments in [] - September 15, 2020

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

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 or terminally ill prisoners.

A. As used in this section, "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, or (iii) who is terminally ill [and is not serving a sentence imposed upon a conviction for either first or second degree murder under Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2] is eligible for consideration by the Parole Board for conditional release. The Parole Board shall promulgate regulations to implement the provisions of this section.

ENGROSSED

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