

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-187 of the Code of Virginia, relating to credit for time spent in*
3 *confinement while awaiting trial; separate, dismissed, or nolle prosequi charges.*

4 [H 502]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 53.1-187 of the Code of Virginia is amended and reenacted as follows:**8 **§ 53.1-187. Credit for time spent in confinement while awaiting trial.**

9 Any person who is sentenced to a term of confinement in a correctional facility shall have deducted
10 from any such term all time actually spent by the person in a state hospital for examination purposes or
11 treatment prior to trial, in a state or local correctional facility awaiting trial or pending an appeal, or in a
12 juvenile detention facility awaiting trial for an offense for which, upon conviction, such juvenile is
13 sentenced to an adult correctional facility. *Such credit for time shall include any time spent in pretrial*
14 *confinement or detention on separate, dismissed, or nolle prosequi charges that are from the same act*
15 *as the violation for which the person is convicted and sentenced to a term of confinement.* When
16 entering the final order in any such case, the court shall provide that the person so convicted be given
17 credit for the time so spent.

18 In no case shall a person be allowed credit for time not actually spent in confinement or in detention.
19 In no case is a person on bail to be regarded as in confinement for the purposes of this statute. No such
20 credit shall be given to any person who escapes from a state or local correctional facility or is absent
21 without leave from a juvenile detention facility.

22 Any person sentenced to confinement in a ~~state~~ correctional facility, in whose case the final order
23 entered by the court in which he was convicted fails to provide for the credit authorized by this section,
24 shall nevertheless receive credit for the time so spent in a ~~state~~ correctional facility. Such allowance of
25 credit shall be in addition to the good conduct allowance provided for in §§ 53.1-116 and 53.1-129,
26 Articles 2 (§ 53.1-192 et seq.) and 3 (§ 53.1-198 et seq.) ~~of this chapter~~ or the earned sentence credits
27 provided for in Article 4 (§ 53.1-202.2 et seq.) ~~of this chapter~~.

ENROLLED

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