

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 53.1-115.2, 53.1-127.1, and 53.1-127.2 of the Code of Virginia,*
3 *relating to stores and telephone systems in local correctional facilities; fees.*

4 [H 912]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 53.1-115.2, 53.1-127.1, and 53.1-127.2 of the Code of Virginia are amended and**
8 **reenacted as follows:**9 **§ 53.1-115.2. Establishment of stores in regional jails and regional jail farms.**

10 The superintendent of a regional jail or regional jail farm may, with the approval of the governing
11 regional jail or jail farm board or jail authority, provide for the establishment and operation of stores or
12 commissaries in regional jail or regional jail farm facilities to deal in such articles as he deems proper.
13 The net profits from the operation of such stores shall be used within each facility respectively for
14 educational, recreational, ~~or other beneficial purposes as may be prescribed by the superintendent or~~
15 *medical purposes for the benefit of the inmates to include behavioral health, substance abuse, reentry,*
16 *and rehabilitative services for the benefit of inmates and may be expended to pay for the training,*
17 *salaries, and benefits of employees or contractors whose primary job is to provide such programs and*
18 *services to the inmates.*

19 **§ 53.1-127.1. Establishment of stores in local correctional facilities.**

20 Each sheriff who operates a correctional facility is authorized to provide for the establishment and
21 operation of a store or commissary to deal in such articles and services as he deems proper. The net
22 profits from the operation of such store that are generated from the inmates' accounts shall be used
23 within the facility for educational, recreational or ~~other~~ *medical purposes for the benefit of the inmates*
24 *as may be prescribed by the sheriff to include behavioral health, substance abuse, reentry, and*
25 *rehabilitative services for the benefit of inmates and may be expended to pay for the training, salaries,*
26 *and benefits of employees or contractors whose primary job is to provide such programs and services to*
27 *the inmates. Any other profits may be used for the general operation of the sheriff's office.* The sheriff
28 shall be the purchasing agent in all matters involving the commissary and nonappropriated funds
29 received from inmates. The funds from such operation of a store or commissary and from the inmate
30 telephone services account shall be considered public funds.

31 **§ 53.1-127.2. Fees for telephonic communication systems and electronic visitation and messaging**
32 **systems for prisoners in local correctional facilities.**

33 Each sheriff or jail superintendent who operates a *local* correctional facility that utilizes a *telephonic*
34 *communication system*, an electronic visitation system, or electronic messaging system, including
35 Voice-over-Internet Protocol technology and web-based communication systems, for communication
36 between prisoners and third parties is authorized to provide for the establishment and collection of a fee
37 for the system utilized. However, no fee shall be charged for communication between prisoners and third
38 parties within any local correctional facility or appurtenance thereto operated or controlled by the sheriff
39 or jail superintendent. *The net profits from the operation of such systems shall be used within each*
40 *facility respectively for educational, recreational, or medical purposes for the benefit of the inmates to*
41 *include behavioral health, substance abuse, reentry, and rehabilitative services for the benefit of inmates*
42 *and may be expended to pay for the training, salaries, and benefits of employees or contractors whose*
43 *primary job is to provide such programs and services to the inmates.*

44 This section does not apply to telephonic communication systems or to electronic video ~~and~~ or audio
45 communication systems used in judicial proceedings.