2002 Session

Budget Bill - SB29 (Introduced)

Item 448 (Not set out)

A. From July 1, 2000, to June 30, 2002, the Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility. The Board may grant exceptions for the following reasons:

1. To address emergency projects needed to comply with Board of Corrections' standards or life safety code requirements, or projects mandated through consent decrees or memoranda of understanding, pursuant to the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997 et seq., and required by the United States Department of Justice;

2. To address those projects for which contracts for design, including architectural and engineering services, of a local or regional jail facility had been signed as of March 1, 1996;

3. To adjust a previously approved funding level, which had been based on planning study estimates, to the actual project cost as determined by competitive bid;

4. To adjust a previously approved regional jail construction project in any case where one or more additional localities have elected to join an existing regional jail authority in order to close one or more existing local jails, or in any case where one or more small jails with an average daily population of less than ten in fiscal year 1995 have developed a plan to implement a new regional program or facility in order to close one or more existing local jails, subject to certification by the Secretary of Administration that such an adjustment shall result in an actual cost savings to the Commonwealth; and

5.a. To replace facilities which have been decertified by the Board of Corrections or which do not comply with Board of Corrections standards when such replacement does not result in a net increase in the operational bed capacity as defined by the Department of Corrections. Exceptions for this purpose may be granted only when the Board of Corrections is satisfied that efforts by the requesting governmental entity to find a regional jail solution have been fully exhausted.

b. The Board of Corrections may grant an exception for the purposes as outlined in this paragraph (Item 448 A 5) for the following projects:

Loudoun County Adult Detention Center.

Pittsylvania County Jail

Virginia Beach City Jail.

Southwest Virginia Regional Jail

A Regional Jail serving Northampton and Accomack Counties.

B. The Department of Corrections may enter into agreements with each local and regional jail to house state-responsible offenders and effect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 64, paragraph K of this act. In accordance with these agreements, the Department is authorized to place up to 300 state-responsible offenders in local jails on work-release status.

C. The Department of Corrections shall report on the number of out-of compliance state-responsible offenders held in local and regional jails. Included within this report shall be an analysis of the feasibility of transferring up to 173 state-responsible offenders who are currently out-of-compliance to the Peumansend Regional Jail. A report on this analysis shall be presented to the Chairmen of the Senate Finance and House Appropriations Committees by July 14, 2000.