

1 SENATE BILL NO. 1141
23 AMENDMENT IN THE NATURE OF A SUBSTITUTE
45 (Proposed by the Senate Committee for Courts of Justice
6

7 on _____)

8 (Patron Prior to Substitute—Senator Sturtevant)

9 *A BILL to amend and reenact § 53.1-220.2 of the Code of Virginia, relating to transfer of certain
10 incarcerated persons to U.S. Immigration and Customs Enforcement.*11 **Be it enacted by the General Assembly of Virginia:**12 **1. That § 53.1-220.2 of the Code of Virginia is amended and reenacted as follows:**13 **§ 53.1-220.2. Transfer of certain incarcerated persons to Immigration and Customs Enforcement.**14 The Director, sheriff, or other official in charge of the facility in which an alien is incarcerated ~~may~~ shall,
15 upon receipt of a detainer from U.S. Immigration and Customs Enforcement, *provide the agency with*
16 *prerelease notification and shall, upon request, transfer custody of the alien to U.S. Immigration and*
17 *Customs Enforcement upon release. Such release shall occur no more than five days prior to the date that he*
18 *would otherwise be released from custody. Upon transfer of custody, notwithstanding any other provision of*
19 *law, the alien shall receive credit for the number of days remaining before he would otherwise have been*
20 *released.*