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1 **SENATE BILL NO. 276**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 53.1-1.2 of the Code of Virginia, relating to state correctional facilities;*  
5 *visitation policies; annual report.*

6 Patron—Williams Graves

7 Referred to Committee on Rehabilitation and Social Services

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 53.1-1.2 of the Code of Virginia is amended and reenacted as follows:**10 **§ 53.1-1.2. Visitation policies.**11 **A. As used in this section:**12 "Infrequent visitor" means an approved visitor who has not completed an in-person visit within the 90  
13 days preceding his current visit to a correctional facility.14 "Long-distance visitor" means an approved visitor of a correctional facility whose primary residence is  
15 located at least 150 miles from the correctional facility, as measured by driving distance.16 "Minor visitor" means an individual younger than 18 years of age. Visitors younger than 16 years of age  
17 shall be accompanied by a parent or guardian. Visitors that are 16 or 17 years of age may visit without a  
18 parent or guardian present with written consent from such parent or guardian.19 "Revocation" means a permanent loss of visitation privileges following multiple serious violations verified  
20 through reliable evidence, including documentation of such violations.21 "Security requirements" means objectively documented procedures necessary to prevent escape, violence,  
22 or contraband introduction and does not include procedures used primarily for administrative convenience.23 B. The Department shall, consistent with facility safety and security, provide each eligible incarcerated  
24 individual the opportunity for in-person visitation with approved visitors that is no less than the aggregate  
25 visitation opportunities provided in fiscal year 2019, or verified pre-pandemic visitation data if fiscal year  
26 2019 visitation data is unavailable, adjusted for changes in the average daily incarcerated population.27 C. The Department shall provide extended or additional in-person visitation access for (i) long-distance  
28 visitors, (ii) minor visitors, and (iii) infrequent visitors. Such in-person visits shall be scheduled for an  
29 extended duration, subject to available space and security requirements.30 D. Each in-person visit shall last a minimum of two hours unless shortened at the request of the visitor or  
31 incarcerated person, or in response to an active security event. Visitors shall not be required to end their visit  
32 if seating capacity permits continued visitation. The Department shall maintain in-person visitation seating  
33 and scheduling capacity equivalent to that provided in fiscal year 2019, or verified pre-pandemic visitation  
34 data if fiscal year 2019 visitation data is unavailable, as documented by the Department.35 E. Visitation privileges may be suspended only for conduct that occurs during in-person visitation that  
36 presents a direct and substantial threat to the physical safety of participants or the security of the facility.  
37 Visitation shall not be denied or suspended based solely upon an individual's confinement status, including  
38 placement in restrictive housing, unless such visitation presents a documented and ongoing security risk.  
39 Visitation shall not be revoked or suspended based solely upon disciplinary or administrative reasons  
40 unrelated to in-person visitation, including confinement status, nonviolent infractions, or substance-screening  
41 results.42 Each suspension shall be supported by written documentation specifying the conduct, date, time, and  
43 nature of the security threat. Suspension shall not exceed 60 consecutive days for a first violation or 120  
44 consecutive days for a repeated violation within 12 months.45 The Department shall provide written notice of suspension to the incarcerated individual and the affected  
46 visitor within five business days. Such notice shall describe the conduct and specify the duration of  
47 suspension. The incarcerated individual or visitor may appeal any suspension within 15 calendar days. The  
48 Department may integrate this visitation appeal process within its established inmate grievance procedures.  
49 Appeals shall be reviewed and decided by an official who was not involved in the initial decision to suspend  
50 visitation privileges within 20 calendar days of submission of the appeal. Visitation privileges shall be  
51 automatically restored at the conclusion of the suspension period unless an appeal upholds the original  
52 finding for such suspension. Permanent revocation of visitation privileges shall occur only upon multiple, but  
53 no less than three, documented serious violations verified through reliable evidence.54 F. The Department shall collect and annually publish data, disaggregated by facility and by month, that  
55 includes the (i) total number of in-person visits; (ii) number of unique visitors and the age of each visitor;  
56 (iii) reasons for visit denials, suspensions, or terminations; (iv) average visit duration; (v) capacity and

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59 utilization rates; and (vi) results of visitor and correctional facility resident feedback surveys conducted not  
60 more than once each year. Data shall, to the extent practicable, be derived from existing management-  
61 information systems and records maintained by the Department. The Department shall submit an annual  
62 report containing the enumerated data to the Chairs of the House Committee on Public Safety, the Senate  
63 Committee on Rehabilitation and Social Services, and the House and Senate Committees for Courts of  
64 Justice. The report shall be made publicly available on the Department's website.

65 G. The Department shall develop and submit to the Secretary of Public Safety and Homeland Security and  
66 the Chairs of the House Committee on Public Safety, the Senate Committee on Rehabilitation and Social  
67 Services, and the House and Senate Committees for Courts of Justice a phased implementation plan to  
68 restore in-person visitation to pre-2019 levels by January 1, 2028. Implementation of this section is subject to  
69 the availability of appropriations.

70 I. The following procedures regarding individuals who are physically present at a state correctional  
71 facility for the purpose of visiting a prisoner shall apply:

72 1. Upon entry into a state correctional facility, visitors shall be informed of the items that they are not  
73 permitted to bring into the facility and the items that they are permitted to bring into the facility.

74 2. If an item that is otherwise legal for the visitor to possess is not permitted in the facility, the item may  
75 be placed in the possession of facility employees, if the facility is able to store such item, for the duration of  
76 the visit and returned to the visitor upon leaving the facility.

77 3. If equipment is available, visitors shall be scanned or wanded by an electronic scanning or detection  
78 device, or both.

79 4. If detector canines are available, visitors shall be subjected to a detector canine search.

80 5. If the detector canine search, scanning, or wanding does not indicate any contraband and the visitor is  
81 otherwise eligible to visit, the visitor shall be allowed a visit with the prisoner that allows personal contact.

82 6. If the detector canine search, scanning, or wanding indicates the possibility of contraband, the visitor  
83 shall have the option of consenting to a search of his person. If the visitor does not consent to a search of his  
84 person after only a detector canine search indicates the possibility of contraband and the visitor is otherwise  
85 eligible to visit, he shall be allowed a visit with the prisoner that does not allow personal contact. If the visitor  
86 does not consent to a search of his person after scanning or wanding indicates the possibility of contraband,  
87 the Department may deny the visitor entry into the facility in accordance with the operating procedures  
88 regarding visiting privileges as authorized by § 53.1-30. *The discovery of contraband shall trigger a facility*  
89 *investigative review regardless of the source of such contraband. If contraband entry is found to originate*  
90 *from facility staff or internal operations, visitation privileges of uninvolved individuals shall not be restricted*  
91 *absent direct evidence of the individual's involvement.*

92 7. A visitor shall be allowed to leave the correctional facility and discontinue the search process prior to  
93 the discovery of contraband. A visitor shall not be barred from future visits because he stops a search prior to  
94 the discovery of contraband or refuses to consent to a search of his person, including refusing to consent to a  
95 strip search or a search of any body cavity. Correctional facility personnel shall not use the search procedure  
96 or search results as a threat to bar future visits. The superintendent, warden, or other official in charge of the  
97 facility shall ensure that correctional facility personnel do not use the search procedure or search results as a  
98 threat to bar future visits.

99 J. *Nothing in this section shall be construed to limit or duplicate the oversight authority of the State Board*  
100 *or any other entity empowered by law to review correctional operations.*