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SENATE BILL NO. 762

Offered January 20, 2026

A BILL to amend and reenact § 53.1-85 of the Code of Virginia, relating to local correctional facilities; reimbursements for housing convicted state felons.

Patron—Mulchi

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-85 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-85. Time and manner of payment.

A. Notwithstanding any contrary provisions of this Code which provide for state reimbursement of certain costs incurred by local correctional facilities, the time and manner of such payments shall be as hereinafter prescribed.

Each facility's apportionment pursuant to § 53.1-84 shall be paid by the Compensation Board to the responsible local governing body or fiscal agent of such facility in quarterly installments beginning in July, 1983.

The amount of the quarterly installment for each facility will be the sum of the following:

1. The number of state prisoner days registered by the facility in the preceding quarter, pursuant to § 53.1-121, times the specified rate per prisoner day;

2. The number of prisoner days registered for convicted state felons by the facility in the preceding quarter times the specified rate per felon day, pursuant to § 53.1-20.1; and

3. One-fourth of the annual cost for salaries and fringe benefits for medical and treatment personnel approved by the Compensation Board pursuant to § 15.2-1636.7.

Funds held in the emergency reserve shall be distributed on the written authorization of the Compensation Board. In the event of emergencies, the Compensation Board may reallocate any portion of the reserve among individual facilities. Any balance remaining in the reserve at the close of the budgetary period shall revert to the general fund of the state treasury.

B. Notwithstanding the quarterly installment payments mandated by subsection A, the Compensation Board shall ensure that it provides reimbursement to localities for the entirety of the costs incurred by such locality arising from housing convicted state felons in any local or regional correctional facility.

INTRODUCED

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