

1 SENATE BILL NO. 713

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee for Courts of Justice

4 on _____)

5 (Patron Prior to Substitute—Senator Deeds)

6 *A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to sheriffs; courthouse and*
7 *courtroom security; concurrent jurisdiction of certain officers present at a courthouse of different locality*
8 *permitted.*9 **Be it enacted by the General Assembly of Virginia:**10 **1. That § 53.1-120 of the Code of Virginia is amended and reenacted as follows:**11 **§ 53.1-120. Sheriff to provide for courthouse and courtroom security; designation of deputies for**
12 **such purpose; assessment.**13 A. Each sheriff shall ensure that the courthouses and courtrooms within his jurisdiction are secure from
14 violence and disruption and shall designate deputies for this purpose. A list of such designations shall be
15 forwarded to the Director of the Department of Criminal Justice Services. *Where a courtroom of a locality is*
16 *located within the courthouse of a different county, city, or town, the sheriff, any deputy sheriff, or any law-*
17 *enforcement officer of such locality shall have the same police powers within and on the surrounding*
18 *property of such courthouse that such sheriff, deputy sheriff, or law-enforcement officer has within his own*
19 *jurisdiction. Such sheriff, deputy sheriff, or law-enforcement officer of such locality, while present within or*
20 *on the surrounding property of the courthouse and engaged in the performance of his official duties, shall*
21 *have concurrent jurisdiction to enforce the laws of the Commonwealth for any offense committed against or*
22 *the escape of any person from the custody of such sheriff, deputy sheriff, or law-enforcement officer and shall*
23 *have such police powers and concurrent jurisdiction while traveling to and returning from such courthouse.*24 B. The chief circuit court judge, the chief general district court judge and the chief juvenile and domestic
25 relations district court judge shall be responsible by agreement with the sheriff of the jurisdiction for the
26 designation of courtroom security deputies for their respective courts. If the respective chief judges and
27 sheriff are unable to agree on the number, type and working schedules of courtroom security deputies for the
28 court, the matter shall be referred to the Compensation Board for resolution in accordance with existing
29 budgeted funds and personnel.30 C. The sheriff shall have the sole responsibility for the identity of the deputies designated for courtroom
31 security.

32 D. Any county or city, through its governing body, may assess a sum not in excess of \$20 as part of the
33 costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a
34 violation of any statute or ordinance. If a town provides court facilities for a county, the governing body of
35 the county shall return to the town a portion of the assessments collected based on the number of criminal and
36 traffic cases originating and heard in the town. The imposition of such assessment shall be by ordinance of
37 the governing body that may provide for different sums in the circuit courts and district courts. The
38 assessment shall be collected by the clerk of the court in which the case is heard, remitted to the treasurer of
39 the appropriate county or city and held by such treasurer to be appropriated by the governing body to the
40 sheriff's office. The assessment shall be used solely for the funding of courthouse security personnel, and, if
41 requested by the sheriff, equipment and other personal property used in connection with courthouse security.