

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding sections numbered 18.2-469.1, 53.1-120.1, and*
 3 *53.1-127.2:1, relating to powers and duties for operation of local and regional correctional facilities and*
 4 *courthouse security; attorney access to courthouses and communication and visitation with incarcerated*
 5 *clients; penalty.*

6 [H 1392]
 7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That the Code of Virginia is amended by adding sections numbered 18.2-469.1, 53.1-120.1, and**
 10 **53.1-127.2:1 as follows:**

11 **§ 18.2-469.1. Presenting Virginia State Bar-issued bar card when license revoked or suspended;**
 12 **penalty.**

13 *Any attorney who has had his license to practice law in the Commonwealth suspended or revoked and*
 14 *who displays a Virginia State Bar-issued attorney member bar card for the purposes of holding himself out to*
 15 *be exempt from a security screening at the entrance of a courthouse in accordance with the provisions of*
 16 *§ 53.1-120.1 is guilty of a Class 1 misdemeanor.*

17 **§ 53.1-120.1. Courthouse security; certain persons exempt from security screening.**

18 *Any sheriff who exempts courthouse employees or law-enforcement officers, or both, from any security*
 19 *screening required to enter a courthouse within the sheriff's jurisdiction, including by allowing such*
 20 *courthouse employees or law-enforcement officers to enter through any entrance that is not for public use,*
 21 *shall also exempt any attorney who displays a valid Virginia State Bar-issued attorney member bar card and*
 22 *a government-issued identification. The sheriff shall report to the appropriate law-enforcement agency and to*
 23 *the Virginia State Bar any attorney who enters or attempts to enter a courthouse with (i) a weapon in*
 24 *violation of § 18.2-283.1 or (ii) any item belonging to a person who is not exempt from such security*
 25 *screening and who would otherwise be prohibited from possessing such item inside of the courthouse.*

26 **§ 53.1-127.2:1. Provision of telephonic or electronic means for communication with attorney.**

27 *When a sheriff or jail superintendent who operates a local or regional correctional facility provides a*
 28 *telephonic, electronic, or web-based communication system for prisoners, such system shall include a*
 29 *confidential means for a prisoner to communicate with his attorney at regular and reasonable times. Such*
 30 *times shall be published on a publicly available website. Additionally, each sheriff or jail superintendent*
 31 *shall accommodate requests by any attorney representing a prisoner in the local or regional correctional*
 32 *facility operated by such sheriff or jail superintendent to provide reasonable opportunities for such prisoner*
 33 *to review correspondence from his attorney, discovery, and trial materials in anticipation of trial so such*
 34 *prisoner is able to assist in his own defense.*

ENROLLED

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