

VIRGINIA ACTS OF ASSEMBLY -- 2024 SESSION

CHAPTER 455

An Act to amend and reenact §§ 53.1-1.1 and 53.1-35.1 of the Code of Virginia, relating to electronic communication systems within state correctional facilities; telephone calls and communication services.

[H 801]

Approved April 4, 2024

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-1.1 and 53.1-35.1 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-1.1. Telephone systems within correctional facilities.

The Department of ~~Corrections~~ shall offer debit or prepaid telephone systems, in addition to any existing collect calling systems, which allow telephone calls to be placed to the telephone number or numbers on an approved call list. Such telephone systems ~~may~~ *shall* be established with the lowest available rates. *The maximum number of telephone numbers permitted on an approved call list shall be no fewer than 20. The Department shall not receive any commission from such telephone systems.*

§ 53.1-35.1. Electronic visitation and messaging with inmates.

The Director is authorized to prescribe reasonable rules regarding electronic visitation systems or electronic messaging systems, including Voice-over-Internet Protocol technology and web-based communication systems, for communication between prisoners and third parties and collection of a fee for the system utilized. *Any state correctional facility that utilizes such systems shall establish such systems using the lowest available rates. Any state correctional facility that utilizes such systems shall establish such system allowing for the security needs of the facility. Any state correctional facility that utilizes such system (i) shall not prohibit in-person visitation and (ii) shall not receive any commission for installation or operation of the system. The Department may temporarily limit the use of this system during periods of heightened security or emergencies.*

This section does not apply to telephonic communication systems or to electronic video and audio communication systems used in judicial proceedings.