

Request to Amend House Bill 1500, as Introduced

Chief Patron: BaCote

Item 408 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of Juvenile Justice	\$0	\$125,000	GF

Language:

Page 354, line 35, strike "\$46,653,407" and insert "\$46,778,407".

Page 355, after line 52, insert:

"d. Out of the amounts appropriated in this item, \$125,000 the second year from the general fund is provided to the City of Newport News for the provision of re-entry services and post-dispositional programs to local juvenile offenders."

Explanation:

(This amendment provides general fund support in the second year of the biennium for the provision of re-entry services and post-dispositional programs for juvenile offenders in the City of Newport News.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Carr

Item 393 #5h

Public Safety	FY 12-13	FY 13-14	
Department Of Criminal Justice Services	\$0	\$25,000	NGF

Language:

Page 345, line 14, strike "\$76,506,602" and insert "\$76,531,602".

Page 346, line 47, after "\$75,000" insert:

"the first year and \$100,000 the second year".

Explanation:

(This amendment increases the total use of Bryne grants for the Drive to Work program from \$75,000 in the second year to \$100,000 in the second year. Drive to Work is a program that develops payment plans to assist people with outstanding court costs that prevent them from gaining their license, including previously incarcerated persons.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Cole

Item 69 #3h

Administration

Compensation Board

Language

Language:

Page 50, strike lines 30 through 47.

Page 50, line 48, strike, "3." and insert, "H.1."

Page 50, strike lines 51 through 54.

Page 51, strike lines 1 through 12.

Explanation:

(This amendment eliminates the existing federal inmate cost recovery formula. The purpose of the federal inmate cost recovery formula is to allow the Commonwealth to capture a portion of the federal payments made to local and regional jails for housing federal inmates as a reimbursement for the general fund support provided for jail correctional officers.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Cole

Item 393 #4h

Public Safety

FY 12-13

FY 13-14

Department Of Criminal Justice
Services

\$0

\$81,919,168 GF

Language:

Page 345, line 14, strike "\$76,506,602" and insert "\$158,425,770".

Page 347, line 25, strike the second "\$408,847" and insert "\$82,348,015".

Page 347, line 29, after "ability-to-pay.", strike remainder of the line.

Page 347, strike line 30.

Explanation:

(This amendment provides \$81.9 million to provide a school resource officer in those 1,589 elementary schools, middle schools, high schools, and other public schools operating in Virginia that do not have a full-time school resource officer. The general fund amount contained in the amendment represents the average of the minimum and maximum salaries, including fringe benefits, for law enforcement deputies.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Cox, Kirk

Item 462 #1h

Veterans Affairs And Homeland Security	FY 12-13	FY 13-14	
Department Of Veterans Services	\$0	\$30,000	GF

Language:

Page 420, line 26, strike "\$7,566,622" and insert "\$7,596,622".

Page 421, after line 11, insert:

"F. Included in the amounts for this item, \$30,000 the second year from the general fund is appropriated to permit up to 20 benefit claims agents per year to attend training courses offered by national veterans service organizations. Up to 10 benefit claims agents per year shall attend national training courses offered by the American Legion and up to 10 benefit claims agents shall attend national training courses offered by the Veterans of Foreign Wars."

Explanation:

(This amendment provides general fund support to permit up to 20 benefit claims agents to attend training courses offered by national veteran service organizations.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Crockett-Stark

Item 69 #4h

Administration	FY 12-13	FY 13-14	
Compensation Board	\$0	\$2,034,072	GF

Language:

Page 49, line 11, strike "\$49,888,871" and insert "\$51,922,943".

Page 51, after line 28, insert:

"L. Out of the amounts appropriated for this item, \$2,034,072 the second year from the general fund is provided to increase the jail per diem for state responsible inmates housed in the New River Valley Regional Jail from \$12 per day to \$29.20 per day."

Explanation:

(This amendment increases the jail per diem paid to the New River Valley Regional Jail for housing state responsible inmates from \$12 per day to \$29.20 per day. The Commonwealth currently provides \$12 per day to all local and regional jails as compensation for the cost of maintaining state responsible offenders in their facilities.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Gilbert

Item 389 #10h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To expand the definition of racketeering activity to include unauthorized possession with intent to distribute large quantities of tax-paid contraband cigarettes -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with expanding the Virginia Racketeer Influenced and Corrupt Organization (RICO) Act to include violations involving unauthorized possession with intent to distribute large quantities of tax-paid contraband cigarettes as a racketeering activity. Any person or enterprise convicted of racketeering is guilty of a felony punishable by not less than 5 years nor more than 40 years and a fine of not more than \$1 million. Currently, a racketeering activity means to commit, attempt to or conspire to commit, or to solicit, coerce or intimidate another to commit two or more of list of offenses, including murder, assault, kidnapping, shooting offenses, grand larceny, embezzlement, fraud, money laundering, drugs, certain cigarette offenses, and others. The amendment is subject to the adoption of House Bill 1780 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Gilbert

Item 389 #11h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To increase the penalties for first and second convictions for possession with intent to distribute tax-paid contraband cigarettes -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with increasing the penalty for possession of tax-paid contraband cigarettes with the intent to distribute them. Currently, any person convicted of possessing, with intent to distribute, 25 cartons of tax-paid cigarettes is guilty of a Class 2 misdemeanor for a first offense and Class 1 misdemeanor for a second or subsequent offense. House Bill 1783 would increase the penalty to a Class 1 misdemeanor for offenses involving less than 500 cartons and a Class 6 felony for offenses involving 500 or more cartons of cigarettes. In addition, the penalty for a second or subsequent offense would be elevated to a Class 6 felony for offenses involving less than 500 cartons and to a Class 5 felony for offenses involving 500 or more cartons of cigarettes. The amendment is subject to the adoption of House Bill 1783 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Gilbert

Item 417 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of State Police	\$0	\$404,738	GF

Language:

Page 360, line 13, strike "\$225,623,693" and insert "\$226,028,431".

Page 362, after line 6, insert:

"P. Out of the amounts appropriated for this item, \$404,738 the second year from the general fund is provided to provide a 25 percent cost-of-living increase in pay for State Police personnel assigned to Area 14 of Division II."

Explanation:

(This amendment provides general fund dollars to provide a 25 percent cost-of-living increase in pay for state troopers assigned to Area 14 (Page and Shenandoah Counties) of Division II.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Helsel

Item 459.05 #1h

Co-Patron(s): BaCote, Pogge, Spruill, Ward, Watson,
Yancey

Veterans Affairs And Homeland Security	FY 12-13	FY 13-14	
Secretary Of Veterans Affairs And Homeland Security	\$3,000,000	\$3,000,000	GF

Language:

Page 419, line 14, strike "\$0" and insert "\$3,000,000".

Page 419, line 14, strike "\$7,500,000" and insert "\$10,500,000".

Page 419, line 20, after "A.", insert "1."

Page 419. after line 24, insert:

"2. Out of the amounts appropriated for this item, \$3,000,000 the first year and \$3,000,000 the second year from the general fund is provided to assist a locality in which a U.S. Air Force Base is located mitigate adverse impacts on military operations and employment levels caused by encroachment of incompatible uses in advance of further actions of the Base Realignment and Closure Commission or any similar federal actions. The amounts provided shall be fully matched by the locality."

Explanation:

(This amendment provides \$3.0 million each year from the general fund to mitigate encroachment surrounding Langley Air Force Base.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Herring

Item 389 #12h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, line 17, insert:

"11. To increase the penalties for the distribution or possession with the intent to distribute counterfeit cigarettes -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with increasing the penalty for the distribution of counterfeit cigarettes or the possession of counterfeit cigarettes with the intent to distribute them. Where the amount is fewer than 10 cartons of counterfeit cigarettes the penalty would be a Class 1 misdemeanor for a first offense and a Class 6 felony for any second or subsequent offense. Where the amount is 10 cartons of counterfeit cigarettes or more, the penalty would be a Class 6 felony. A Class 1 misdemeanor is punishable by up to 12 months in jail and a fine of not more than \$2,500. A Class 6 felony is punishable by up to 5 years in prison or 12 months in jail and a fine of not more than \$2,500. The amendment is subject to the adoption of House Bill 2056 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Hope

Item 389 #6h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$3,234,027	NGF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$97,511,015".

Page 344, after line 20, insert:

"R. Out of the amounts included in this item, \$3,234,027 the second year in special funds are appropriated for deposit to the Prisoner Re-entry Fund, a special, nonreverting fund to be created on the books of the State Comptroller, for use in providing pre-release and post-release re-entry and transitional service programs. The source of the special funds are the commissions earned from the offender telephone system. To provide revenue for the purposes of the Prisoner Re-entry Fund, transfers from the offender telephone system to the general fund are limited to no more than 10 percent of commissions, or \$359,336."

Explanation:

(This amendment reduces the total commissions deposited to the general fund from the offender telephone system by 90 percent in order to provide a revenue source for a Prisoner Re-entry Fund for the provision of pre-release and post-release re-entry and transitional support programming to offenders either currently or previously held in state correctional facilities. The reason the offender telephone system commissions were originally deposited to the general fund was to offset a portion of the Commonwealth's costs of housing offenders in state correctional facilities.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Iaquinto

Item 389 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. Designation of school bus stops, and the surrounding 1,000 feet of such property that is open to public use, while children are awaiting school-related transportation a gang free zone -- \$50,000."

Explanation:

(This amendment provides the expected correctional bed space impact associated with House Bill 1550, which expands the definition of a gang free zone to include school bus stops, and the surrounding 1,000 square feet of property open to public use when children are awaiting school-related transportation. The amendment is subject to the passage of the bill by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ingram

Item 69 #5h

Administration

Compensation Board

Language

Language:

Page 51, line 5, after "year." insert:

"This shall not apply to federal inmates while they are on home electronic monitoring at a local or regional jail."

Explanation:

(This amendment modifies language limiting reimbursement for jail per diems if the jail houses federal inmates above a certain level. The new language specifies that federal inmates on home electronic monitoring are not to be included in this limit.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ingram

Item 69 #6h

Administration

Compensation Board

Language

Language:

Page 51, after line 12, insert:

"7. Federal inmates placed in the custody of a regional jail as of January 1, 2012, and pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility."

Explanation:

(This amendment provides Riverside Regional Jail an exemption from the Compensation Board's federal inmate cost recovery methodology for those federal inmates assigned by the federal Bureau of Prisons to a home electronic monitoring program. While Riverside Regional Jail receives a per diem for monitoring these federal inmates to ensure they are complying with the Bureau of Prisons' conditions, these federal inmates have never been housed within Riverside Regional Jail. In addition, the Bureau of Prisons has required Riverside Regional Jail to purchase the actual monitoring devices worn by the federal inmates. Language states that no exemption is provided for any federal inmate actually housed in the jail.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Jones

Item 69 #2h

Administration	FY 12-13	FY 13-14
Compensation Board	\$0	\$431,080 GF

Language:

Page 49, line 11, strike "\$49,888,871" and insert "\$50,319,951".

Page 51, after line 12, insert:

"7. An exemption from the recovery provided in paragraph H.1. shall also be provided to any regional jail that operates bed space specifically built for the housing of federal inmates and for which the Compensation Board has never been authorized to staff such bed space for a defined number of federal inmates upon certification by the superintendent of the specific funding amounts paid by the member localities of the regional jail authority, the regional jail authority, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal inmates to be exempted from the recovery provided in paragraph H.1. shall be based on the proportion of funding paid by the member localities of the regional jail authority or the regional jail authority for the construction of bed space to house federal inmates to the total funding paid by all sources, including the Commonwealth, for the construction of the jail facility in its entirety."

Explanation:

(This amendment provides an exemption for the Western Tidewater Regional Jail for the construction of federal inmate housing paid for entirely by the member jurisdictions of the regional jail. An exemption has long been in place for those jails in which the federal share of the construction costs exceeded the Commonwealth's share of construction costs, and the Compensation Board provides no staffing for the share of the facility built with federal funds. For the Western Tidewater Regional Jail, while the Compensation Board provides no staffing for the portion of the facility built by the member jurisdictions of the regional jail, the Compensation Board still applies the federal cost recovery methodology to the entire jail, because the current exemption only applies to federally-built space.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Krupicka

Item 393 #2h

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 347, line 30, after "high schools", insert:

"; however, localities may utilize any funding provided by this item for other relevant public safety purposes, including physical infrastructure upgrades, such as security cameras, door and window improvements, locks, or emergency situation response training for teachers and staff."

Explanation:

(This amendment provides language permitting the use of grants provided for school resource officers to be used for other school safety improvements, including security cameras, infrastructure improvements and locks, or emergency response training for teachers and other school staff.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Lewis

Item 389 #3h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$1,059,562	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$95,336,550".

Page 344, after line 17, insert:

"11. To prevent the commission of sexual abuse of a child between the ages of 13 and 15 by an adult who has committed such sexual abuse with lascivious intent -- \$1,059,562."

Explanation:

(This amendment provides for the criminal bed space needs associated with increasing the penalty for an adult who, with lascivious intent, commits an act of sexual abuse against a child aged 13 to 15 from a Class 1 misdemeanor to a Class 5 felony. The amendment is subject to the adoption of House Bill 1518 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Lingamfelter

Item 418 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of State Police	\$500,000	\$500,000	GF

Language:

Page 362, line 8, strike "\$19,268,487" and insert "\$19,768,487".

Page 362, line 8, strike "\$20,304,532" and insert "\$20,804,532".

Page 362, line 23, prior to "The", insert "A."

Page 362, after line 33, insert:

"B. Out of the amounts for this item, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the purchase of training systems to improve State Police officers' ability to confront and resolve potential and actual conflicts within urban, suburban, and rural environments. The training systems are to permit State Police officers' to coordinate their objectives in realistic simulations, and offer mission briefing, scenario control, and after action performance reviews."

Explanation:

(This amendment provides general fund support for the purchase of training systems providing State Police officers the ability to assess their abilities to confront and resolve potential and actual conflicts within a highly-realistic, interactive, simulated environment.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: McClellan

Item 389 #4h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$23,197	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,300,185".

Page 344, after line 17, insert:

"11. To increase the penalty for a second conviction for stalking where the offender has previously been convicted of assaulting a family member, violating a protective order, or assaulting the stalking victim within the past five years -- \$23,197."

Explanation:

(This amendment provides for the correctional bed space impact associated with House Bill 2211, which increases the penalty for a second conviction for stalking from a Class 1 misdemeanor to a Class 6 felony if the offender has previously been convicted of assaulting a family member, violating a protective order, or assaulting the victim of the current stalking offense within the last five years. This funding is subject to the adoption of House Bill 2211 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Morris

Item 69 #1h

Administration	FY 12-13	FY 13-14
Compensation Board	\$0	\$431,080 GF

Language:

Page 49, line 11, strike "\$49,888,871" and insert "\$50,319,951".

Page 51, after line 12, insert:

"7. An exemption from the recovery provided in paragraph H.1. shall be provided to any regional jail that operates bed space specifically built for the housing of federal inmates and for which the Compensation Board has never been authorized to staff such bed space for a defined number of federal inmates upon certification by the superintendent of the specific funding amounts paid by the member localities of the regional jail authority, the regional jail authority, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal inmates to be exempted from the recovery provided in paragraph H.1. shall be based on the proportion of funding paid by the member localities of the regional jail authority or the regional jail authority for the construction of bed space to house federal inmates to the total funding paid by all sources, including the Commonwealth, for the construction of the jail facility in its entirety."

Explanation:

(This amendment provides an exemption for the Western Tidewater Regional Jail for the construction of federal inmate housing paid for entirely by the member jurisdictions of the regional jail. An exemption has long been in place for those jails in which the federal share of the construction costs exceeded the Commonwealth's share of construction costs, and the Compensation Board provides no staffing for the share of the facility built with federal funds. For the Western Tidewater Regional Jail, while the Compensation Board provides no staffing for the portion of the facility built by the member jurisdictions of the regional jail, the Compensation Board still applies the federal cost recovery methodology to the entire jail, because the current exemption only applies to federally-built space.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ransone

Item 68 #1h

Co-Patron(s): Fariss, May, Ramadan, Rust

Administration	FY 12-13	FY 13-14	
Compensation Board	\$0	\$4,598,994	GF

Language:

Page 45, line 39, strike "\$419,327,886" and insert "\$423,926,880".

Explanation:

(This amendment provides general fund support for an additional 148 positions in the second year to provide law enforcement deputy positions to meet the statutory requirement of one deputy per 1,500 in local population. A companion amendment to Item 75 provides the respective increase in the position count table.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ransone

Item 75 #1h

Co-Patron(s): Fariss, May, Ramadan, Rust

Administration

Compensation Board

Language

Language:

Page 58, line 47, strike "11,051" and insert "11,199".

Explanation:

(This amendment provides positions in the position count table for an additional 148 positions in second year to provide law enforcement deputy positions to meet the statutory requirement of one deputy per 1,500 in local population. A companion amendment to Item 68 provides the funding for these positions.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ransone

Item 389 #15h

Public Safety	FY 12-13	FY 13-14
Department Of Corrections	\$0	\$47,685 GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,324,673".

Page 344, after line 17, insert:

"11. To increase the penalties associated with the manufacture or use of fake weapons of terror or hoax explosive devices -- \$47,685."

Explanation:

(This amendment provides for the criminal bed space needs associated with increasing the penalty for manufacture or use of fake weapons of terror or hoax explosive devices. House Bill 1411 increases the penalty for such actions from a Class 6 felony to a Class 5 felony. A Class 6 felony has a maximum prison term of up to 5 years, or 12 months in jail and up to a \$2,500 fine. A Class 5 felony has a maximum prison term of 10 years, or 12 months in jail and up to a \$2,500 fine. The amendment is subject to the adoption of House Bill 1411 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Sherwood

Item 393 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of Criminal Justice Services	\$0	\$1,291,153	GF

Language:

Page 345, line 14, strike "\$76,506,602" and insert "\$77,797,755".

Page 347, line 25, strike, "\$408,847" and insert "\$1,700,000".

Page 347, line 30, strike, "high schools", and insert:

"elementary schools, middle schools, and high schools where no full-time school resource office is currently located".

Explanation:

(This amendment provides \$1.3 million from the general fund the second year to fully restore the general fund support for the school resource officer grant program. The general fund amount is equal to the level of general support provided during fiscal year 2002, which represented the largest historical general fund support for the program. The amendment also states that the Department of Criminal Justice Services will prioritize grants to elementary, middle, and high schools where no full-time school resource office is located.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Sickles

Item 60 #1h

Executive Offices

Attorney General And Department
Of Law

Language

Language:

Page 40, line 24, prior to "On", insert "A."

Page 40, after line 31, insert:

"B. The Medicaid Fraud Control Unit shall use coding compliance diagnosis-related reviews; transfers, readmissions, and cost outlier reviews, outpatient 72-hour rule reviews, payment and billing error reviews and other technology to assure that the correctional health care system is billed correctly and that overpayments are recovered from off-site specialists, hospitals, and other off-site providers of health care to offenders in the custody of the Department of the Corrections. In addition, the Medicaid Fraud Control Unit will use similar tools to assure that Medicaid is billed for appropriate inpatient hospital and professional services incurred for the care of Medicaid-eligible hospitalized offenders in the custody of the Department of Corrections."

Explanation:

(This amendment requires the Medicaid Fraud Control Unit within in the Office of the Attorney General to use various technology and data review to assure that the Department of Corrections to recover improper payments or overpayments for off-site healthcare services provided to inmates, and to use these same techniques to assure Medicaid is not overbilled for healthcare services provided to Medicaid-eligible hospitalized inmates.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Tyler

Item 389 #2h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$815,000	\$815,000	GF

Language:

Page 341, line 18, strike "\$91,828,354" and insert "\$92,643,354".

Page 341, line 18, strike "\$94,276,988" and insert "\$95,091,988".

Page 344, after line 20, insert:

"R. Out of the appropriations for this item, \$815,000 the first year and \$815,000 the second year from the general fund is included for the provision of payments in lieu of taxes for the counties of Brunswick, Greensville, Lunenburg, Southampton, and Sussex."

Explanation:

(This amendment provides general fund appropriations for payments in lieu of taxes to the counties of Brunswick, Greensville, Lunenburg, Southampton, and Sussex. Correctional facilities are located in these counties.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ware, Onzlee

Item 389 #7h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To create a specific embezzlement offense for use of a power of attorney to fraudulently convert funds or other property from the principal -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with the creation of a specific embezzlement charge for using a power of attorney to fraudulently convert funds or other property from the principal. The amendment is subject to the adoption of House Bill 2053 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ware, Onzlee

Item 389 #8h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To lower the threshold for the imposition of a Class 6 felony from the sale or purchase of 3,000 or more packages of unstamped cigarettes to 500 or more packages of unstamped cigarettes -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with reducing the threshold for the imposition of the existing Class 6 felony provisions regarding the sale or purchase of unstamped cigarettes. Currently, the sale or purchase of 3,000 or more packages of unstamped cigarettes is punishable as a Class 6 felony. House Bill 1820 reduce the threshold for imposition of the Class 6 felony charge to include the sale or purchase of 500 packages of unstamped cigarettes. Stamped cigarettes ensures Virginia collects the taxes due on the sale of a package of cigarettes. The amendment is subject to the adoption of House Bill 1820 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ware, Onzlee

Item 389 #9h

Co-Patron(s): Gilbert, Loupassi

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To increase the penalties for any second conviction of the sale or purchase of less than 3,000 packages of unstamped cigarettes from a Class 2 misdemeanor to a Class 1 misdemeanor and more than 3,000 packages of unstamped cigarettes from a Class 6 felony to a Class 5 felony -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with increasing the penalties associated with a second conviction for the sale or purchase of unstamped cigarettes. The penalty for a second conviction of selling or purchasing less than 3,000 packages of unstamped cigarettes would increase from a Class 2 misdemeanor, punishable by up to six months in jail and a fine of up to \$1,000, to a Class 1 misdemeanor, punishable by up to 12 months in jail and a fine of up to \$2,500. The penalty for a second conviction of selling or purchasing more than \$3,000 packages of unstamped cigarettes would increase from a Class 6 felony, punishable by up to five years in prison and a fine of up to \$2,500, to a Class 5 felony, punishable by up to 10 years in prison and a fine of up to \$2,500. The amendment is subject to the adoption of House Bill 1822 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ware, Onzlee

Item 393 #6h

Public Safety	FY 12-13	FY 13-14	
Department Of Criminal Justice	\$0	\$120,000	GF
Services	0.00	2.00	FTE

Language:

Page 345, line 14, strike "\$76,506,602" and insert "\$76,626,602".

Page 347, after line 53, insert:

"I. Out of this appropriation, \$120,000 the second year from the general fund is provided for two regional jail/court case management positions to provide services in the courts and jails which serve residents from Roanoke City, Salem, Covington, Clifton Forge, and the counties of Roanoke, Botetourt, Alleghany, and Craig."

Explanation:

(This amendment provides \$120,000 from the general fund the second year for Catawba Regional Partnership. The funding will be used for two regional jail/court case management positions to provide services in the courts and jails which serve residents from Roanoke City, Salem, Covington, Clifton Forge, and the counties of Roanoke, Botetourt, Alleghany, and Craig. These positions will reduce repeat incarcerations for jail inmates/repeat offenders with mental health issues and would assist in connecting court involved individuals experiencing mental health issues to the necessary services that would meet their psychiatric and cast management needs and thus reduce the number of repeat offenders and subsequent incarcerations.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Ware, Onzlee

Item 395 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of Criminal Justice Services	\$0	\$7,068,926	GF

Language:

Page 348, line 9, strike "\$172,412,837" and insert "\$179,481,763".

Explanation:

(This amendment provides additional general fund dollars for House Bill 599 payments to localities with police departments based upon second year revenue growth.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Watts

Item 389 #13h

Public Safety	FY 12-13	FY 13-14	
Department Of Corrections	\$0	\$50,000	GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,326,988".

Page 344, after line 17, insert:

"11. To increase penalties for the financial exploitation of incapacitated adults and adults 60 years of age or older -- \$50,000."

Explanation:

(This amendment provides for the criminal bed space needs associated with adding penalties for the financial exploitation of an incapacitated adult or adult age 60 or older. House Bill 1455 imposes a Class 5 felony for any conviction where the offender knowingly exploits the impaired mental or physical capacity of an adult or incapacitated adult by deception, intimidation, undue influence, coercion, harassment, or misrepresentation to use, obtain, convert, or take control of the property and financial resources of the victim. If the offender is responsible for the care, custody, or control of the victim or has a fiduciary relationship with the victim, the penalty imposed is a Class 3 felony. A Class 5 felony is punishable by up to 10 years in prison or up to 12 months in jail and a fine of no more than \$2,500. A Class 3 is punishable by up to 20 years in prison and a fine of no more than \$100,000. The amendment is subject to the adoption of House Bill 1455 by the 2013 Session of the General Assembly.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Yost

Item 389 #5h

Public Safety	FY 12-13	FY 13-14
Department Of Corrections	\$0	\$197,354 GF

Language:

Page 341, line 18, strike "\$94,276,988" and insert "\$94,474,342".

Page 344, after line 17, insert:

"11. To provide for an enhanced penalty for the assault and battery of a campus police officer -- \$197,354."

Explanation:

(This amendment provides for the criminal bed space needs associated with enhancing the penalty for the assault and battery of a campus police officer from the current Class 1 misdemeanor to a Class 6 felony, including a six-month minimum term of confinement. Currently, this same enhanced penalty applies to law enforcement officers, correctional officers, firefighters, emergency medical providers, and judges. The amendment is subject to the adoption of House Bill 1380 by the 2013 Session of the General Assembly.)
