

1 HOUSE BILL NO. 801

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the House Committee on Appropriations

4 on _____)

5 (Patron Prior to Substitute--Delegate Rasoul)

6 A BILL to amend and reenact §§ 53.1-1.1 and 53.1-35.1 of the Code of Virginia, relating to electronic
7 communication systems within state correctional facilities; telephone calls and communication
8 services.

9 **Be it enacted by the General Assembly of Virginia:**10 **1. That §§ 53.1-1.1 and 53.1-35.1 of the Code of Virginia are amended and reenacted as follows:**11 **§ 53.1-1.1. Telephone systems within correctional facilities.**

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

17 **§ 53.1-35.1. Electronic visitation and messaging with inmates.**

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

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

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