

FILED

2001 MAY -2 / A 11: 15

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 3192

(By Mr. Speaker, Mr. Kiss, and Delegates Staton,
Michael, Manuel, Givens and Webster)

Passed April 14, 2001

In Effect Ninety Days from Passage

FILED

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FOR

H. B. 3192

(BY MR. SPEAKER, MR. KISS, AND DELEGATES STATON,
MICHAEL, MANUEL, GIVENS AND WEBSTER)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact section eight, article fifteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-three, as amended; and to amend article twenty, chapter thirty-one by adding thereto a new section, designated section five-d, all relating to good time for jail inmates; providing that inmates of regional jails are eligible for good time for labor performed; providing that inmates of county or regional jails are eligible for good time for achieving certain educational levels; requiring director of regional jail authority to promulgate rules related to discipline of inmates; permitting sheriffs to adopt rules; and requiring that every person committed to jail receive a copy of the disciplinary rules.

Be it enacted by the Legislature of West Virginia:

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That section eight, article fifteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that article twenty, chapter thirty-one of said code be amended by adding thereto a new section, designated section five-d, to read as follows:

ARTICLE 15. COUNTY CONVICT ROAD FORCE.

§17-15-8. Credit on sentence for road work by county prisoner.

1 Every person sentenced to labor as provided for by this
2 article and who has faithfully complied with all the rules and
3 regulations prescribed by the sheriff or administrator of the
4 regional jail facility governing the labor is entitled to five days'
5 deduction for each month's jail sentence that is imposed upon
6 him or her.

**ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL
FACILITY AUTHORITY.**

§31-20-5d. Good time credit.

1 (a) Any person convicted of a criminal offense and sen-
2 tenced to confinement in a county or regional jail is to be
3 granted commutation from his or her sentence for good conduct
4 in accordance with this section.

5 (b) The commutation of sentence or good time is to be
6 deducted from the fixed term of determinate sentences. An
7 inmate under two or more consecutive sentences is allowed
8 good time as if the several sentences, when the maximum terms
9 thereof are added together, were all one sentence.

10 (c) Every inmate sentenced to a regional jail for a term of
11 confinement exceeding six months who, in the judgment of the
12 administrator of the regional jail facility, faithfully complies
13 with all rules and regulations of the regional jail during his or
14 her term of confinement is entitled to a deduction of five days

15 from each month of his or her sentence. No inmate may be
16 granted any good time under the provisions of this section for
17 time spent on bond or for time served on parole or in any other
18 status in which he or she is not physically incarcerated.

19 (d) Each inmate sentenced to a term of confinement in a
20 county or regional jail facility who participates in a general
21 equivalency diploma program is to be granted three days of
22 good time for the completion of each educational literacy level,
23 as demonstrated by achieving a passing score on standardized
24 tests required by the department of education, and ten days of
25 good time for completion of the requirements for a general
26 equivalency diploma or high school diploma.

27 (e) The sheriff or administrator of a regional jail facility
28 may, with the approval of the governor, allow extra good time
29 for inmates who perform exceptional work or service.

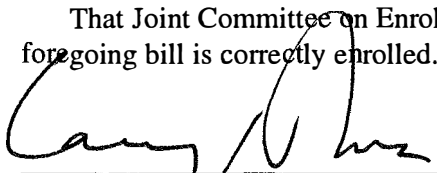
30 (f) The regional jail and correctional facility authority shall
31 promulgate disciplinary rules for the regional jail facilities. The
32 rules are to describe prohibited acts, procedures for charging
33 individual inmates for violations of the rules and for determin-
34 ing the guilt or innocence of inmates charged with the viola-
35 tions, and sanctions that may be imposed for the violations.
36 Each sheriff who is responsible for operating a county jail may
37 adopt the rules promulgated by the regional jail and correctional
38 facility authority. For each violation by an inmate, any part or
39 all of the good time that has been granted to the inmate may be
40 forfeited and revoked by the sheriff or administrator of the
41 regional jail facility. The administrator, when appropriate and
42 with approval of the executive director, or the sheriff may
43 restore any good time forfeited for a violation of the rules
44 promulgated or adopted pursuant to this subsection.

45 (h) Each inmate sentenced to a term of confinement in a
46 county or regional jail in excess of six months shall, within

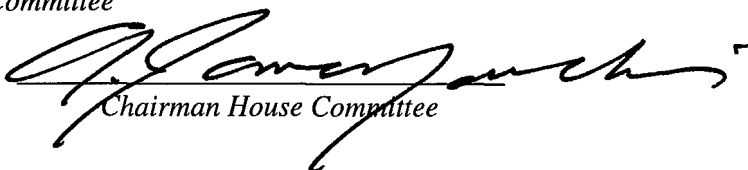
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47 seventy-two hours of being received into a county or regional
48 jail, be given a copy of the disciplinary rules, a statement
49 setting forth the term or length of his or her sentence or
50 sentences, and the time of his or her minimum discharge.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



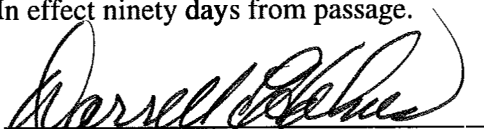
Chairman Senate Committee



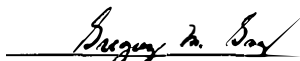
Chairman House Committee

Originating in the House.

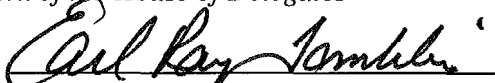
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

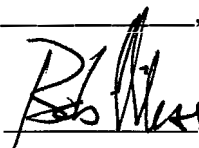


President of the Senate



Speaker of the House of Delegates

The within is approved 3rd th h h
day of April, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/27/01

Time 4:35pm