Senate Bill No. 156

(By Senators Laird, Tucker, Yost, Barnes,
D. Facemire, Klempa and Unger)

[Introduced January 11, 2012; referred to
the Committee on Government Organization;
and then to the Committee on Finance.]

A BILL to amend and reenact §25-7-11 of the Code of West Virginia, 1931, as amended, relating to allowing the Commissioner of Corrections to use excess funds from the Correctional Industries Account for certain operational costs of the division; and creating special revenue accounts for the excess funds.

Be it enacted by the Legislature of West Virginia:

That §25-7-11 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 7. CORRECTIONAL INDUSTRIES ACT OF 2009.

§25-7-11. Correctional industries account.

(a) There is hereby created in the State Treasury a special revenue account designated the Correctional Industries

Account. All funds collected from the sale or disposition of articles and products manufactured or produced by correctional industries in accordance with this article shall be deposited in this account.

(b) Except as provided in subsection (c) of this section, funds collected and deposited may be used only to purchase manufacturing supplies, equipment, machinery and materials used to carry out the purposes of this article; to pay necessary personnel; and to defray necessary expenses, including inmate earnings, all of which are under the direction of the commissioner and subject to the commissioner's approval.

(c) The Correctional Industries Account may not be maintained in excess of the amount necessary to efficiently and properly carry out the purposes of this article. In no event may the Correctional Industries Account be maintained in excess of ~~$1,500,000~~ $2 million. Any moneys in the account exceeding ~~$1,500,000~~ $2 million shall be transferred ~~to the state Treasury and credited to the General Revenue Fund of the state~~ at the end of each fiscal year into the Division of Corrections Additional Operations Account established pursuant to subsection (d) of this section.

(d) There is hereby created in the State Treasury a special revenue account known as the Additional Operations Account. The commissioner is authorized to use funds from the account to offset operational costs, for building and maintenance, purchases, equipment repair or replacement for the Division of Corrections and to defray necessary expenses incident to those activities.

(NOTE: The purpose of this bill is to allow the Commissioner of the Division of Corrections to use excess funds from the Correctional Industries account to offset operational costs of the division.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

This bill was recommended for introduction and passage during the 2012 Regular Session of the Legislature by the Legislative Oversight Committee on Regional Jail and Correctional Facility Authority.)