

WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
REGULAR SESSION, 2014



ENROLLED

Senate Bill No. 457

(BY SENATORS COOKMAN, MILLER, LAIRD, PLYMALE,
KESSLER (MR. PRESIDENT), TUCKER AND SNYDER)

[PASSED MARCH 6, 2014; IN EFFECT NINETY DAYS FROM PASSAGE.]

E N R O L L E D

Senate Bill No. 457

(BY SENATORS COOKMAN, MILLER, LAIRD, PLYMALE,
KESSLER (MR. PRESIDENT), TUCKER AND SNYDER)

[Passed March 6, 2014; in effect ninety days from passage.]

AN ACT to amend and reenact §31-20-5h of the Code of West Virginia, 1931, as amended, relating to programs for inmates committed to state correctional facilities; requiring programs offered in regional jails to be the same as those offered in a Division of Corrections facility; requiring Division of Corrections employees or designees of the Commissioner of Corrections to provide said courses and classes; and authorizing the Regional Jail and Correctional Facility Authority and Division of Corrections to agree to designate certain facilities where said classes and programs are to be provided.

Be it enacted by the Legislature of West Virginia:

That §31-20-5h of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§31-20-5h. Programs for inmates committed to prison.

- 1 (a) The Division of Corrections may develop and
- 2 implement a cognitive behavioral program to address the

3 needs of inmates detained in a regional jail, but committed to
4 the custody of the Commissioner of Corrections. The
5 program shall be developed in consultation with the Regional
6 Jail and Correctional Facility Authority, and may be offered
7 by video teleconference or webinar technology. The costs of
8 the program shall be paid out of funds appropriated to the
9 Division of Corrections. The program shall be covered by
10 the rehabilitation plan policies and procedures adopted by the
11 Division of Corrections under subsection (h), section thirteen,
12 article twelve, chapter sixty-two of this code.

13 (b) In addition to subsection (a) of this section, the
14 Division of Corrections shall make available, to each inmate
15 in the custody of the commissioner who is detained in a
16 regional jail facility awaiting transfer to a Division of
17 Corrections facility, those programs and courses, as are
18 determined by an inmate's risk and needs assessment
19 mandated by section thirteen, article twelve, chapter
20 sixty-two of this code, necessary to prepare the inmate for
21 parole. Such programming and courses shall be provided by
22 the Division of Corrections personnel or the commissioner's
23 designees.

24 (c) The Regional Jail and Correctional Facility Authority
25 shall provide the necessary facilities and equipment to
26 effectuate this section or, upon the agreement of the Regional
27 Jail and Correctional Facility Authority and the
28 commissioner, other facilities may be utilized.

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

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Chairman Senate Committee

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Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

The within this
the Day of, 2014.

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Governor