

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2873

**FISCAL
NOTE**

BY DELEGATE ROWE

[Introduced March 9, 2017; Referred
to the Committee on the Judiciary then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §61-11-16a, relating to alternate sentencing for nonviolent felony offenders.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §61-11-16a, to read as follows:

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

§61-11-16a. Alternate sentencing for nonviolent felony offenders.

1 Notwithstanding any provision of this code to the contrary, a sentencing judge, following
2 a hearing and with written findings issued, may order a nonviolent felony offender to serve a
3 minimum sentence of one year in a correctional facility or a term up to one year in jail regardless
4 of other specific minimum sentences which may be available for the underlying offense.

NOTE: The purpose of this bill is to allow certain alternate sentencing for nonviolent felony offenders.

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