

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### Senate Bill 416

FISCAL  
NOTE

By Senators Trump, Deeds, and Woelfel

[Introduced January 12, 2024; referred  
to the Committee on the Judiciary; and then to the  
Committee on Finance]



19 (4) To employ one full-time administrative employee, who shall be a classified exempt  
20 employee; and

21 (5) To exercise all other powers and perform all other duties necessary and proper in  
22 carrying out his or her responsibilities as chairperson.

23 (c) The board, from its membership, shall elect a vice chairperson, at least once every  
24 year, to serve as ~~chair~~ chairperson in the absence of a chairperson. In the absence of, or at the  
25 direction of, the chairperson, the vice chairperson may exercise the powers and duties of the  
26 chairperson. The vice chairperson shall, while performing the duties and responsibilities of the  
27 chairperson, have all of the statutorily authorized power and duties of the chairperson.

28 (d) Members of the board shall have at least an undergraduate degree from an accredited  
29 college or university or at least five years of actual experience in the fields of corrections, law  
30 enforcement, sociology, law, education, psychology, social work, or medicine, or a combination  
31 thereof, and shall be otherwise competent to perform the duties of his or her office: *Provided*, That  
32 at least three members initially appointed after July 1, 2021, shall have five or more years  
33 experience in the fields of mental health, social work, or inmate reentry services: *Provided*,  
34 *however*, That members appointed to the board pursuant to the amendments to this section  
35 enacted during the regular session of the Legislature, 2024, shall have at least an undergraduate  
36 degree or five or more years of experience in the fields of medicine, psychiatry, psychology,  
37 education, the practice of law, social work, mental health, or corrections: *Provided, further*, that the  
38 Governor is requested to affirmatively attempt to recruit persons with the required experience in  
39 the areas of mental health and social work in the filling of the positions created by the amendments  
40 to this section enacted during the 2024 Regular Session of the Legislature. All members currently  
41 serving on the board shall continue the terms they are currently serving, unless otherwise  
42 removed. The members shall be appointed for overlapping terms of six years. Members are  
43 eligible for reappointment. The members of the board shall devote their full time and attention to  
44 their board duties.

45 (e) The Governor may, if he or she is informed that a vacancy is imminent, appoint a  
46 member to fill the imminent vacancy prior to it becoming vacant: *Provided*, That the new member  
47 may be appointed no more than 30 days prior to the vacancy occurring and only for purposes of  
48 training. He or she may not assume the powers and duties of the position until the vacancy has  
49 actually occurred.

50 (f) The Governor may appoint no more than five persons to a list of substitute board  
51 members. Substitute board members shall meet the qualifications set forth in subsection (d) of this  
52 section. The persons on the list shall be used in a rotating fashion. If a full-time board member is  
53 unable to serve, a substitute board member may serve in his or her place. These substitute board  
54 members shall have the same powers and duties of the full-time board members while acting as a  
55 substitute and shall serve at the will and pleasure of the Governor. These members shall be  
56 reimbursed for expenses and paid a per diem rate set by the secretary.

57 (g) The Division of Corrections and Rehabilitation shall provide administrative and other  
58 services to required by the board. ~~as the board requires.~~ Expenses of the board shall be included  
59 within the annual budget of the Division of Corrections and Rehabilitation: *Provided*, That the  
60 salaries of the members appointed pursuant to subsection (b) of this section are to be included in a  
61 separate budget for the Parole Board.

62 (h) Notwithstanding any provision of this code to the contrary, meetings of the Parole Board  
63 are not subject to the provisions of §6-9A-1 *et seq.* of this code: *Provided*, That hearings before  
64 the Parole Board shall be open to the public.

NOTE: The purpose of this bill is to add additional members to the West Virginia Parole Board.

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