WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

ENROLLED

SENATE BILL NO. 161

(By Mr. Caraway and Mr. Holliday)

PASSED February 16, 1970

In Effect... Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-18-70
ENROLLED

Senate Bill No. 161

(By MR. CARRIGAN and MR. HOLLIDAY)

[Passed February 11, 1970; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two, three, four and five, article five-a, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto two new sections, designated sections six and seven, all relating to the establishment and continuance; management and control; appointment of warden; bond; duties; residence; laws governing penitentiary applicable; exceptions; transfer of prisoners; sentencing of prisoners; and the renaming of the "West Virginia medium security prison."
Be it enacted by the Legislature of West Virginia:

That sections one, two, three, four and five, article five-a, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto two new sections, designated sections six and seven, all to read as follows:

**ARTICLE 5A. HUTTONSVILLE CORRECTIONAL CENTER.**

§28-5A-1. Establishment and continuance.

1. The prison farm near Huttonsville in the county of Randolph, undertaken pursuant to chapter eighty-six, acts of the Legislature of West Virginia, one thousand nine hundred thirty-seven, is hereby established, and shall be continued as the "Huttonsville Correctional Center."


1. Huttonsville correctional center, a medium security state prison, shall be managed, directed, and controlled as provided in chapter twenty-five of this code.

§28-5A-3. Appointment of warden; bond; duties; residence.

1. The warden shall be the chief executive officer of Huttonsville correctional center. He shall be appointed
by the governor, by and with the advice and consent
of the Senate, and shall give bond in such sum as the
commissioner of public institutions may require. His
duties shall be fixed by the commissioner of public in-
stitutions, and shall conform to, as nearly as possible,
the duties heretofore assigned to the warden of the West
Virginia penitentiary at Moundsville. The warden shall
reside in or near the prison.

§28-5A-4. Laws governing penitentiary applicable; exception.

The laws governing the West Virginia penitentiary
at Moundsville shall, as nearly as may be, apply to
Huttonsville correctional center except that criminal
proceedings against inmates in said prison shall be in
the circuit court of the county of Randolph.

§28-5A-5. Transfer of prisoners.

Upon the request of the warden of the West Vir-
ingia penitentiary or the warden of Huttonsville cor-
rectional center, the commissioner of public institutions
may, in his discretion, order the transfer of prisoners
from one institution to the other.
§28-5A-6. Diagnostic and classification division established.  
1 The commissioner of public institutions shall establish  
2 a diagnostic and classification division within the Hut-  
3 tonsville correctional center. This division shall be a  
4 maximum security facility.  

1 Notwithstanding any provision of the code to the con-  
2 trary, all prisoners sentenced to the West Virginia peni-  
3 tentiary at Moundsville after October one, one thousand  
4 nine hundred seventy, shall, upon imposition of such  
5 sentence, first undergo diagnosis and classification at the  
6 Huttonsville correctional center.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Vice-Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16th day of February, 1970.

Governor
PRESENTED TO THE
GOVERNOR

Date  2/13/20
Time  4:42 p.m.