WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED

HOUSE BILL No. 1635

(By Mr. Speaker, Mr. Lee, by request of)

Passed ........................................... March 12, 1983

In Effect ............................................. Passage
ENROLLED

H. B. 1635
(By Mr. Speaker, Mr. See, by request of the Executive)

[Passed March 12, 1983; in effect from passage.]

AN ACT to amend and reenact article five-c, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section one-a, article eleven, chapter sixty-one of said code all relating to the closing of the West Virginia state prison for women; disposition of property; and the incarceration of female felons.

Be it enacted by the Legislature of West Virginia:

That article five-c, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section one-a, article eleven, chapter sixty-one of said code be amended and reenacted, all to read as follows:

CHAPTER 28. STATE CORRECTIONAL AND PENAL INSTITUTIONS.

ARTICLE 5C. IMPRISONMENT OF FEMALE FELONS.

§28-5C-1. Closure of West Virginia prison for women.

1 The West Virginia prison for women, a penal institution exclusively for female prisoners, located at Pence Springs, Summers County, West Virginia is hereby closed. The title to all real property at the West Virginia prison for women is hereby transferred to and vested in the public land corporation of West Virginia: Provided, That the public land corpo-
tion shall promptly cause an inventory and an appraisal to be
made of the real property and shall offer said real property
for sale at public auction to be sold for not less than the ap-
praised value, or the land corporation shall lease the real
property upon such terms and conditions as it shall deem
appropriate. The title to all personal property at the West
Virginia prison for women remains vested in the state depart-
ment of corrections.

§ 28-5C-2. Commitment of female felons.

Any adult female found guilty of committing a felony as
defined in section one, article eleven, chapter sixty-one, who
is not placed on probation in accordance with the provisions
of article twelve, chapter sixty-two, shall be committed to the
custody of the state department of corrections for the dura-
tion of her sentence. The commissioner of the state depart-
ment of corrections shall, as he deems appropriate, either
place female felons in state correctional institutions or contract
with any person, corporation, governmental agency or other
entity for their incarceration and care.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.
ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.


Upon conviction of a female for a felony and subsequent
sentence of confinement, the trial court shall sentence her to
the custody of the state department of corrections.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 29th day of March, 1983.

Governor