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OFFICE OF THE GOVERNOR

Date 3-29-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

HOUSE BILL No. 1635

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



Passed March 12, 1983

In Effect From 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
2 exclusively for female prisoners, located at Pence Springs,
3 Summers County, West Virginia is hereby closed. The title to
4 all real property at the West Virginia prison for women is
5 hereby transferred to and vested in the public land corpora-
6 tion of West Virginia: *Provided*, That the public land corpora-

7 tion shall promptly cause an inventory and an appraisal to be
8 made of the real property and shall offer said real property
9 for sale at public auction to be sold for not less than the ap-
10 praised value, or the land corporation shall lease the real
11 property upon such terms and conditions as it shall deem
12 appropriate. The title to all personal property at the West
13 Virginia prison for women remains vested in the state depart-
14 ment of corrections.

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

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

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

§61-11-1a. Sentence of female felons.

1 Upon conviction of a female for a felony and subsequent
2 sentence of confinement, the trial court shall sentence her to
3 the custody of the state department of corrections.

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

[Handwritten Signature]

Chairman Senate Committee

[Handwritten Signature]

Chairman House Committee

Originating in the House.

Takes effect from passage.

[Handwritten Signature]

Clerk of the Senate

[Handwritten Signature]

Clerk of the House of Delegates

[Handwritten Signature]

President of the Senate

[Handwritten Signature]

Speaker House of Delegates

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

[Handwritten Signature]

Governor

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