

# 2982

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988

— ● —

## ENROLLED

Com. Sub. for  
HOUSE BILL No. 2982

(By ~~Mr.~~ Del. Pitrolo + Hobitzell )

— ● —

Passed February 19, 1988

In Effect Ninety Days From Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2982**  
(By DELEGATES PITROLO and HOBLITZELL)

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[Passed February 19, 1988; in effect ninety days from passage.]

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AN ACT to repeal sections six and seven, article five-a, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend article one, chapter twenty-five of said code, by adding a new section thereto, designated section fifteen, relating to establishment, by the commissioner of corrections, of diagnostic and classification divisions at Huttonsville correctional center, West Virginia penitentiary at Moundsville and/or Pruntytown correctional center; requiring that said divisions be maximum security facilities; authorizing the commissioner of corrections to contract with federal correctional institutions for diagnosis and classification of female offenders; authorizing the commissioner of corrections to provide said services for youthful offenders at youth centers; and requiring that persons sentenced to the West Virginia penitentiary first undergo diagnosis and classification at one of said facilities.

*Be it enacted by the Legislature of West Virginia:*

That sections six and seven, article five-a, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article one,

chapter twenty-five of said code be amended by adding a new section thereto, designated section fifteen, to read as follows:

**ARTICLE 1. ORGANIZATION AND INSTITUTIONS.**

**§25-1-15. Diagnostic and classification divisions.**

1     The commissioner of corrections may establish a  
2     diagnostic and classification division within Huttonsville  
3     correctional center, West Virginia penitentiary at  
4     Moundsville and/or the Pruntytown correctional center,  
5     formerly known as the West Virginia industrial home  
6     for boys at Grafton.

7     Notwithstanding any provision of the code to the  
8     contrary, all persons committed to the custody of the  
9     commissioner of the department of corrections for  
10    presentence diagnosis and classification and all persons  
11    sentenced to the West Virginia penitentiary shall, upon  
12    imposition of such commitment or sentence, undergo  
13    diagnosis and classification in a diagnostic and classi-  
14    fication division located at the Huttonsville correctional  
15    center, the West Virginia penitentiary at Moundsville,  
16    or the Pruntytown correctional center. The diagnostic  
17    and classification divisions shall be maximum security  
18    facilities: *Provided*, That the commissioner of the  
19    department of corrections shall be authorized to provide,  
20    at his option, classification and diagnostic services for  
21    female offenders through contract with federal correc-  
22    tional institutions and to provide diagnostic and  
23    classification services for youthful offenders at a youth  
24    center operated under the authority of the department  
25    of corrections: *Provided, however*, That nothing con-  
26    tained herein shall operate to conflict with or interfere  
27    with predisposition diagnostic procedures for juveniles  
28    contained in chapter forty-nine of this code.

29    Nothing herein shall be construed to authorize the  
30    establishment of a diagnostic and classification division  
31    upon the grounds of the Weston state hospital or in a  
32    regional jail operated by the regional jail and prison  
33    authority.


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


  
Chairman Senate Committee

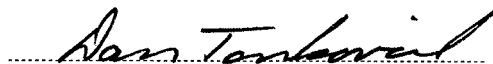
  
Chairman House Committee

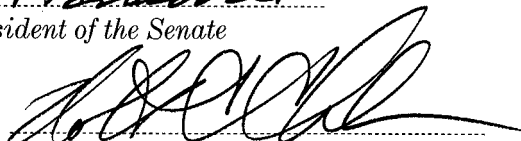
Originating in the House.

Takes effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within  this the  day of \_\_\_\_\_, 1988.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 2/26/88

Time 2:05 p.m.

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SHERIFF  
SHERIFF'S OFFICE