WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED
Com. Sub. for
HOUSE BILL No. 2982

(By Mr. Del. Putarks & Hoblitzel)

Passed February 19, 1988
In Effect Ninety Days From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2982
(BY DELEGATES PITROLO AND HOBELZELL)

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

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five-a, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article one,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


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

Notwithstanding any provision of the code to the contrary, all persons committed to the custody of the commissioner of the department of corrections for presentence diagnosis and classification and all persons sentenced to the West Virginia penitentiary shall, upon imposition of such commitment or sentence, undergo diagnosis and classification in a diagnostic and classification division located at the Huttonsville correctional center, the West Virginia penitentiary at Moundsville, or the Pruntytown correctional center. The diagnostic and classification divisions shall be maximum security facilities: Provided, That the commissioner of the department of corrections shall be authorized to provide, at his option, classification and diagnostic services for female offenders through contract with federal correctional institutions and to provide diagnostic and classification services for youthful offenders at a youth center operated under the authority of the department of corrections: Provided, however, That nothing contained herein shall operate to conflict with or interfere with predisposition diagnostic procedures for juveniles contained in chapter forty-nine of this code.

Nothing herein shall be construed to authorize the establishment of a diagnostic and classification division upon the grounds of the Weston state hospital or in a regional jail operated by the regional jail and prison 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 1st

day of ........................................, 1988.

Governor