WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

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ENROLLED

Com. Sub. for
HOUSE BILL No. 2036

(By the
Del. Harley & Menendez)

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Passed April 6, 1989

In Effect Ninety Days from Passage
AN ACT to amend and reenact article eleven-a, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four, relating to criminal penalties for failing to return to confinement in jails while on release for work or other purposes.

Be it enacted by the Legislature of West Virginia:

That article eleven-a, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section four, to read as follows:

ARTICLE 11A. RELEASE FOR WORK AND OTHER PURPOSES.


1. (a) Any person lawfully confined in jail on conviction of one or more felonies, or on conviction of one or more felonies and one or more misdemeanors, who has been granted release for work or other purposes under section one-a of this article, and who fails to return to jail at the times designated in the release order with the intent to evade lawful detention, shall be guilty of an additional felony, and, upon conviction, may be confined in the
penitentiary for not less than one nor more than five years.

(b) Any person lawfully confined in jail on conviction of one or more misdemeanors, who has been granted release for work or other purposes under section one-a of this article, and who fails to return to jail at the times designated in the release order with the intent to evade lawful detention, shall be guilty of a misdemeanor, and, upon conviction, may be confined in jail for up to one year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Fisher  
Chairman Senate Committee

Bernard V. Kelly  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Lisa A. White  
Clerk of the Senate

Donald L. Vogg  
Clerk of the House of Delegates

Lawrence F. Miller  
President of the Senate

Nancy L. Miller  
Speaker of the House of Delegates

The within is approved this the 24th day of April, 1989.

Martin O'Malley  
Governor