

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

Committee Substitute for
SENATE BILL NO. 424

(By Senator Love, et al)

PASSED March 8, 2003

In Effect from Passage

FILED

2003 MAR 21 P 5: 35

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 424

(SENATORS LOVE, DEMPSEY, HUNTER, WHITE, ROWE
AND ROSS, *original sponsors*)

[Passed March 8, 2003; in effect from passage.]

AN ACT to amend article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section sixteen-a, relating to governor's authority to authorize the commissioner of corrections to consent to transfers of convicted offenders under a federal treaty; requiring consent of inmate; and requiring inmate be informed of rights and procedures in a language he or she understands.

Be it enacted by the Legislature of West Virginia:

That article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be

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amended by adding thereto a new section, designated section sixteen-a, to read as follows:

ARTICLE 1. ORGANIZATION, INSTITUTIONS AND CORRECTIONS MANAGEMENT.

§25-1-16a. Governor's authority to authorize commissioner of corrections to consent to transfer of inmates under a federal treaty.

1 If a treaty in effect between the United States and a
2 foreign country provides for the transfer or exchange of
3 convicted offenders to the country of which they are
4 citizens or nationals, the governor may, on behalf of the
5 state and subject to the terms of the treaty and with the
6 consent of the offender, authorize the commissioner of
7 corrections to consent to the transfer or exchange of
8 inmates in his or her custody and take any other action
9 necessary to initiate the participation of this state in the
10 treaty. No transfer may occur pursuant to the provisions
11 of this section until the inmate is informed of his or her
12 rights and the procedures involved in his or her native
13 language unless it is determined that the inmate's knowl-
14 edge of English is sufficient.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
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Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
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Speaker House of Delegates

The within is approved this the 21st

Day of March, 2003.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/17/03

Time 9:45am