WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2419

(By Delegates Perry, Boggs, Morgan, Ellem and Webster)

Passed April 10, 2009

In Effect Ninety Days from Passage
AN ACT to amend and reenact §31-20-5d of the Code of West Virginia, 1931, as amended, relating to providing certain inmates a reduction in sentence for successful completion of education and rehabilitation programs.

Be it enacted by the Legislature of West Virginia:

That §31-20-5d of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY.

§31-20-5d. Good time credit.
(a) Any person convicted of a criminal offense and sentenced to confinement in a regional jail is to be granted reduction of his or her sentence for good conduct in accordance with this section.

(b) The reduction of sentence or good time is to be deducted from the fixed term of determinate sentences. An inmate under two or more consecutive sentences is allowed good time as if the several sentences, when the maximum terms thereof are added together, were all one sentence.

(c) Every inmate sentenced to a regional jail for a term of confinement exceeding six months who, in the judgment of the administrator of the regional jail facility, faithfully complies with all rules of the regional jail during his or her term of confinement is entitled to a deduction of five days from each month of his or her sentence. No inmate may be granted any good time under the provisions of this section for time spent on bond or for time served on parole or in any other status in which he or she is not physically incarcerated.

(d) Each inmate sentenced to a term of confinement in a regional jail facility who participates in a general equivalency diploma program is to be granted three days of good time for the completion of each educational literacy level, as demonstrated by achieving a passing score on standardized tests required by the Department of Education, and ten days of good time for completion of the requirements for a general equivalency diploma or high school diploma.

(e) Each inmate sentenced to a term of confinement in a regional jail in excess of six months shall be granted one day of good time for successful completion of each of the following rehabilitation programs: Domestic violence, parenting, substance abuse, life skills, and anger management or any special rehabilitation or educational program.
designated by the executive director. A maximum of five
days good time shall be granted for successful completion of
five programs.

(f) The administrator of a regional jail facility may, with
the approval of the Governor, allow extra good time for
inmates who perform exceptional work or service.

(g) The Regional Jail and Correctional Facility Authority
shall promulgate disciplinary rules for the regional jail
facilities. The rules are to describe prohibited acts,
procedures for charging individual inmates for violations of
the rules and for determining the guilt or innocence of
inmates charged with the violations, and sanctions that may
be imposed for the violations. For each violation by an
inmate, any part or all of the good time that has been granted
to the inmate may be forfeited and revoked by the
administrator of the regional jail facility. The administrator,
when appropriate and with approval of the executive director
may restore any good time forfeited for a violation of the
rules promulgated or adopted pursuant to this subsection.

(h) Each inmate sentenced to a term of confinement in a
regional jail in excess of six months shall, within seventy-two
hours of being received into a regional jail, be given a copy
of the disciplinary rules, a statement setting forth the term or
length of his or her sentence or sentences, and the time of his
or her minimum discharge.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In 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 is approved this the 24th day of April, 2009.

Governor
PRESENTED TO THE GOVERNOR
APR 21 2009
Time 4:50