

HB 2419
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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

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COMMITTEE SUBSTITUTE

FOR

OFFICE WEST VIRGINIA
SECRETARY OF STATE

H. B. 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.

1 (a) Any person convicted of a criminal offense and
2 sentenced to confinement in a regional jail is to be granted
3 reduction of his or her sentence for good conduct in
4 accordance with this section.

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

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

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

27 (e) Each inmate sentenced to a term of confinement in a
28 regional jail in excess of six months shall be granted one day
29 of good time for successful completion of each of the
30 following rehabilitation programs: Domestic violence,
31 parenting, substance abuse, life skills, and anger management
32 or any special rehabilitation or educational program

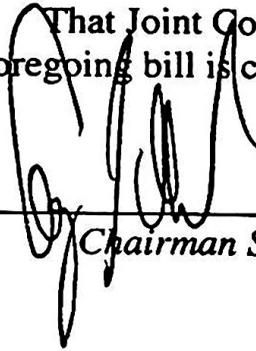
33 designated by the executive director. A maximum of five
34 days good time shall be granted for successful completion of
35 five programs.

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

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

52 (h) Each inmate sentenced to a term of confinement in a
53 regional jail in excess of six months shall, within seventy-two
54 hours of being received into a regional jail, be given a copy
55 of the disciplinary rules, a statement setting forth the term or
56 length of his or her sentence or sentences, and the time of his
57 or her minimum discharge.

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



Chairman Senate Committee



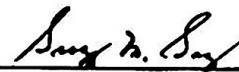
Chairman House Committee

Originating in the House.

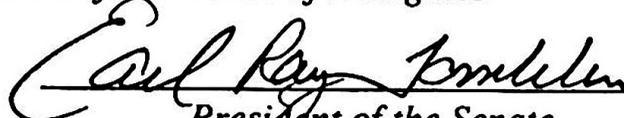
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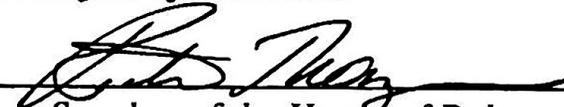
Clerk of the Senate



Clerk of the House of Delegates

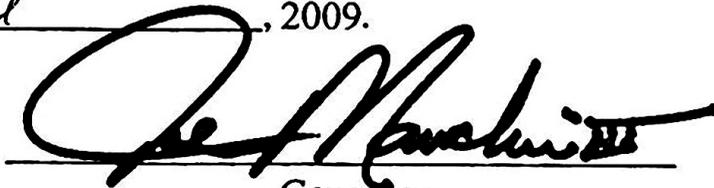


President of the Senate



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 4:57 pm