

**WEST VIRGINIA LEGISLATURE**  
**EIGHTY-FIRST LEGISLATURE**  
**REGULAR SESSION, 2013**

—●—  
**ENROLLED**

**Senate Bill No. 423**

(BY SENATORS LAIRD, KIRKENDOLL, STOLLINGS,  
KESSLER (MR. PRESIDENT), COOKMAN AND PLYMALE)

[PASSED APRIL 13, 2013; IN EFFECT NINETY DAYS FROM PASSAGE.]

FILED  
2013 APR 30 PM 2:42  
CLERK OF SENATE

SB 423

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(BY SENATORS LAIRD, KIRKENDOLL, STOLLINGS,  
KESSLER (MR. PRESIDENT), COOKMAN AND PLYMALE)

[Passed April 13, 2013; 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 persons convicted of a criminal offense and sentenced to a six-month confinement in a regional jail 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) An inmate sentenced to a term of confinement in a  
28 regional jail for a period of six months or more, shall be  
29 granted five days of good time for the successful completion  
30 of any of the following rehabilitation programs: Domestic  
31 violence, parenting, substance abuse, life skills, alcohol  
32 abuse, anger management or any special rehabilitation or  
33 educational program designated by the executive director.  
34 Good time credit pursuant to this subsection is cumulative,  
35 however an inmate is eligible for a maximum of thirty days  
36 good time credit for the successful completion of  
37 rehabilitation programs authorized by this subsection. The  
38 fee for each class is \$25 which is due upon enrollment. If an  
39 inmate is unable to pay a fee or fees in full at the time of  
40 enrollment, it may be paid by deductions from his or her

41 inmate trust account, subject to the provisions of subsection  
42 (f), section thirty-one of this article. No more than one half  
43 of the amount in the inmate trust account during any one-  
44 week period may be so deducted.

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

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

61 (h) Each inmate sentenced to a term of confinement in a  
62 regional jail in excess of six months shall, within seventy-two  
63 hours of being received into a regional jail, be given a copy  
64 of the disciplinary rules, a statement setting forth the term or  
65 length of his or her sentence or sentences and the time of his  
66 or her minimum discharge.

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

*Rocky Felhamm*  
.....  
Member ~~Chairman~~ Senate Committee

*Danny Wells*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Joseph M. Minard*  
.....  
Clerk of the Senate

*Steph D. Sawyer*  
.....  
Clerk of the House of Delegates

*Joseph H. ...*  
.....  
President of the Senate

*...*  
.....  
Speaker of the House of Delegates

2013 APR 30 PM 2:42  
FILED  
SECRETARY OF STATE

The within *is approved* ..... this the *30th*  
Day of *April* ....., 2013.

*Earl Ray Tomblin*  
.....  
Governor

PRESENTED TO THE GOVERNOR

APR 26 2013

Time 10:30 am