

WEST VIRGINIA LEGISLATURE FILED

2019 REGULAR SESSION

2019 MAR 25 P 2:37

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Enrolled

Committee Substitute

for

Senate Bill 601

SENATOR TRUMP, *original sponsor*

[Passed March 8, 2019; in effect from passage]

SB601

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1 AN ACT to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto
2 a new section, designated §15A-4-17a, relating to mandatory supervision of adult inmates
3 generally; authorizing the Commissioner of the Division of Corrections and Rehabilitation
4 to develop mandatory supervised release plans; authorizing the early release of inmates
5 subject to the conditions of a mandatory supervised release plan; providing for return of
6 inmates to a correctional facility for violations of the conditions of mandatory supervised
7 release plans; providing that inmates on mandatory supervised release are considered to
8 be on parole; clarifying that mandatory supervised release plan is not a commutation of
9 sentence or any other form of clemency; and providing that mandatory supervised release
10 concludes upon completion of the minimum expiration of sentence.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. CORRECTIONS MANAGEMENT.

§15A-4-17a. Division of Corrections and Rehabilitation mandatory supervised release plan.

1 The commissioner may develop a mandatory supervised release plan for an inmate
2 serving a sentence for a felony offense not referenced in §15A-4-17(k) of this code who has not
3 been granted discretionary parole 180 days prior to the inmate's minimum expiration of sentence,
4 which may include electronic monitoring as a condition of release. The inmate may be released
5 and subject to a period of mandatory supervision of 180 days when he or she is 180 days from
6 his or her minimum expiration of sentence.

7 (1) An inmate on mandatory supervised release pursuant to this subsection may be
8 returned by the commissioner to a correctional facility for violation of the conditions of supervision
9 and may not again be eligible for mandatory supervised release during the same period of
10 incarceration.

11 (2) An inmate on mandatory supervised release shall be considered released on parole.

12 (3) Mandatory supervised release is not a commutation of sentence or any other form of
13 clemency.

14 (4) Subject to subdivision (1) of this subsection, the period of mandatory supervised
15 release shall conclude upon completion of the minimum expiration of sentence.

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

FILED

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Mark Thompson
.....
Chairman, Senate Committee

Kevin Caputo
.....
Chairman, House Committee

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Originated in the Senate.

In effect from passage.

Joe Linn
.....
Clerk of the Senate

Steve Harris
.....
Clerk of the House of Delegates

Michelle B. Combs
.....
President of the Senate

Dean Haskin
.....
Speaker of the House of Delegates

The within *is approved* this the *25th*
March
Day of, 2019.

James Owens
.....
Governor

PRESENTED TO THE GOVERNOR

11/23/2018

Time 2:58 pm