

1 **ENROLLED**

2 **Senate Bill No. 423**

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

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6 [Passed April 13, 2013; in effect ninety days from passage.]
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11 AN ACT to amend and reenact §31-20-5d of the Code of West Virginia,
12 1931, as amended, relating to providing persons convicted of
13 a criminal offense and sentenced to a six-month confinement in
14 a regional jail a reduction in sentence for successful
15 completion of education and rehabilitation programs.

16 *Be it enacted by the Legislature of West Virginia:*

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

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

21 **§31-20-5d. Good-time credit.**

22 (a) Any person convicted of a criminal offense and sentenced
23 to confinement in a regional jail is to be granted reduction of his

1 or her sentence for good conduct in accordance with this section.

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

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

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

24 (e) An inmate sentenced to a term of confinement in a regional

1 jail for a period of six months or more, shall be granted five days
2 of good time for the successful completion of any of the following
3 rehabilitation programs: Domestic violence, parenting, substance
4 abuse, life skills, alcohol abuse, anger management or any special
5 rehabilitation or educational program designated by the executive
6 director. Good time credit pursuant to this subsection is
7 cumulative, however an inmate is eligible for a maximum of thirty
8 days good time credit for the successful completion of
9 rehabilitation programs authorized by this subsection. The fee for
10 each class is \$25 which is due upon enrollment. If an inmate is
11 unable to pay a fee or fees in full at the time of enrollment, it
12 may be paid by deductions from his or her inmate trust account,
13 subject to the provisions of subsection (f), section thirty-one of
14 this article. No more than one half of the amount in the inmate
15 trust account during any one-week period may be so deducted.

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

19 (g) The Regional Jail and Correctional Facility Authority
20 shall promulgate disciplinary rules for the regional jail
21 facilities. The rules are to describe prohibited acts, procedures
22 for charging individual inmates for violations of the rules and for
23 determining the guilt or innocence of inmates charged with the
24 violations and sanctions that may be imposed for the violations.

1 For each violation by an inmate, any part or all of the good time
2 that has been granted to the inmate may be forfeited and revoked by
3 the administrator of the regional jail facility. The
4 administrator, when appropriate and with approval of the executive
5 director, may restore any good time forfeited for a violation of
6 the rules promulgated or adopted pursuant to this subsection.

7 (h) Each inmate sentenced to a term of confinement in a
8 regional jail in excess of six months shall, within seventy-two
9 hours of being received into a regional jail, be given a copy of
10 the disciplinary rules, a statement setting forth the term or
11 length of his or her sentence or sentences and the time of his or
12 her minimum discharge.