

1 **H. B. 4338**

2
3 (By Delegates Perry, M. Poling, Morgan,
4 Campbell, Ellem, Boggs and Pino)
5

6 [Introduced January 27, 2014; referred to the
7 Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

8
9
10 A BILL to amend and reenact §31-20-5h of the Code of West Virginia,
11 1931, as amended, relating to programs for inmates committed
12 to prison; requiring programs offered in a regional jail to be
13 the same as those offered in a Division of Corrections
14 facility.

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

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

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

20 **§31-20-5h. Programs for inmates committed to prison.**

21 (a) The Division of Corrections may develop and implement a
22 cognitive behavioral program to address the needs of inmates
23 detained in a regional jail, but committed to the custody of the
24 Commissioner of Corrections. The program shall be developed in

1 consultation with the Regional Jail Authority, and may be offered
2 by video teleconference or webinar technology. The costs of the
3 program shall be paid out of funds appropriated to the Division of
4 Corrections. The program shall be covered by the rehabilitation
5 plan policies and procedures adopted by the Division of Corrections
6 under subsection (h), section thirteen, article twelve, chapter
7 sixty-two of this code.

8 (b) In addition to the program established under subsection
9 (a), all classes and programs available to inmates in a Division of
10 Corrections facility shall be made available to inmates detained in
11 a regional jail, but committed to the custody of the Commissioner
12 of Corrections. The costs of the programs shall be paid out of
13 funds appropriated to the Division of Corrections.

NOTE: The purpose of this bill is to require that inmates in a regional jail, but committed to the custody of the Commissioner of Corrections, have available the same classes and programs that are offered in Division of Corrections facilities.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.