

H. B. 2928

(By Delegate Ireland)

[Introduced February 24, 2015; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
designated §25-1-35, relating to allowing inmates to perform the community service of
providing upkeep to cemeteries.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
section, designated §25-1-35, to read as follows:

ARTICLE 1. ORGANIZATION, INSTITUTIONS AND CORRECTIONS MANAGEMENT.

§25-1-35. Inmates providing upkeep of cemeteries.

The warden or administrator may require inmates to provide for the upkeep of cemeteries in
the political subdivision where the prison is located. If the cemetery is located on public property,
the warden must have the request and approval of the political subdivision. If the cemetery is located
on private property, the warden must obtain express consent of the landowner prior to entry to
performing such work. The landowner is immune from liability if a loss or claim results from an

1 inmate's performance of work related to the upkeep of a cemetery in accordance with this section.

NOTE: The purpose of this bill is to provide wardens with ability to use inmates to perform work in the upkeep local cemeteries.

This section is new; therefore, it has been completely underscored.