

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2928

2015 Carryover

(BY DELEGATE IRELAND)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

**ARTICLE 1. ORGANIZATION, INSTITUTIONS AND CORRECTIONS
 MANAGEMENT.**

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

1 The warden or administrator may require inmates to provide for the upkeep of cemeteries
 2 in the political subdivision where the prison is located. If the cemetery is located on public
 3 property, the warden must have the request and approval of the political subdivision. If the
 4 cemetery is located on private property, the warden must obtain express consent of the landowner
 5 prior to entry to performing such work. The landowner is immune from liability if a loss or claim
 6 results from an inmate's performance of work related to the upkeep of a cemetery in accordance
 7 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.