

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2158

FISCAL  
NOTE

BY DELEGATE ROWE

[Introduced January 9, 2019; 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 §61-11-16a, relating to alternate sentencing for nonviolent felony offenders.

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

**ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.**

**§61-11-16a. Alternate sentencing for nonviolent felony offenders.**

1 Notwithstanding any provision of this code to the contrary, a sentencing judge, following  
2 a hearing and with written findings issued, may order a nonviolent felony offender to serve a  
3 minimum sentence of one year in a correctional facility or a term up to one year in jail regardless  
4 of other specific minimum sentences which may be available for the underlying offense.

NOTE: The purpose of this bill is to allow certain alternate sentencing for nonviolent felony offenders.

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