

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2888**

BY DELEGATE RODIGHIERO

[Introduced February 7, 2019; Referred  
to the Committee on the Judiciary then Finance.]

1 A BILL to amend and reenact §15A-4-20 of the Code of West Virginia, 1931, as amended, relating  
2 to work programs; defining who is a qualified inmate for work program; and establishing  
3 good time credit for participants of work programs.

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

#### **ARTICLE 4. CORRECTIONS MANAGEMENT.**

##### **§15A-4-20. Work program.**

1 (a) The commissioner is authorized to establish at each institution a work program for  
2 qualified inmates. The commissioner shall establish guidelines and qualifications to allow inmates  
3 sentenced to a regional jail facility to be gainfully employed with local businesses and  
4 governmental entities as part of a job program. A qualified inmate does not include an inmate  
5 convicted of a sexual offense or a violent felony, or otherwise known to be a danger to the general  
6 public.

7 Inmates participating in a work release program pursuant to this section may be granted  
8 up to 60 days of good time and may be released from incarceration up to 60 days immediately  
9 prior to the scheduled completion of their respective sentence or period of incarceration.

10 (b) An inmate who works in work programs established under this section may be required  
11 to make reimbursement to the division toward the cost of his or her incarceration to be credited  
12 to the agency billed for that incarceration, pursuant to the conditions set forth in §15A-4-19 of this  
13 code.

14 (c) Notwithstanding any provision of this code to the contrary, the county commission, its  
15 members and agents, the Division of Corrections and Rehabilitation or designee, its employees,  
16 agents, or assigns, the Regional Jail and Correctional Facility Authority Board, its members,  
17 agents, or assigns, the sheriff, and his or her deputies, shall be immune from all liability of any  
18 kind except for accident, injury, or death resulting directly from gross negligence or malfeasance.

NOTE: The purpose of this bill is to define who is a qualified inmate for work program and

provide good time credit for regional jail inmates participating in a work program.

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