

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Introduced**

## **Senate Bill 41**

BY SENATORS WOELFEL, TRUMP AND OJEDA

[Introduced February 8, 2017; referred  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §62-12-11 of the Code of West Virginia, 1931, as amended, relating  
2 to extending the total number of years that a person may be subject to a period of  
3 probation.

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

1 That §62-12-11 of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted to read as follows:

**ARTICLE 12. PROBATION AND PAROLE.**

**§62-12-11. Probation period.**

1 The period of probation together with any extension thereof shall not exceed ~~five~~ seven  
2 years. Upon the termination of the probation period, the probation officer shall report to the court  
3 the conduct of the probationer during the period of his or her probation, and the court may  
4 thereupon discharge the probationer or extend the probation period. Whenever, before the end  
5 of the probation period, the probationer has satisfactorily complied with all the conditions of his or  
6 her probation and it appears to the court that it is no longer necessary to continue his or her  
7 supervision, the court may discharge him or her. All orders extending the probation period and all  
8 orders of discharge shall be entered in the records of the court, and a copy of all such orders shall  
9 be sent by the clerk of the court to the board within five days after the making of the order.

NOTE: The purpose of this bill is to extend the total number of years that a person may be subject to a period of probation.

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