

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

Introduced

### House Bill 3255

FISCAL  
NOTE

By Delegate Walker

[Introduced February 03, 2023; Referred to the  
Committee on Technology and Infrastructure then the  
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §62-12-14, relating to notifying persons granted parole prior to release that a  
 3 driver's license may no longer be suspended solely for failure to pay costs, fines, or  
 4 penalties and of eligibility to vote in public elections.

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

**ARTICLE 12. PROBATION AND PAROLE.**

**§62-12-14. Notification to persons granted parole prior to release that a driver's license may no longer be suspended solely for failure to pay costs, fines, or penalties and of eligibility to vote in public elections.**

1 (a) Legislative findings- The Legislature finds that persons who are granted parole whose  
 2 motor vehicle driver's license and driving privileges may have been suspended for failure to pay  
 3 costs, fines, or other penalties as a result of a criminal conviction are unaware of recent changes in  
 4 the law whereby failure to pay these obligations is no longer a basis for suspending a driver's  
 5 license. The Legislature further finds that parolees may also not be aware of or understand what  
 6 rights he or she may have to vote and register to vote in this state after conviction of a felony.

7 (b) The Commissioner shall notify a person that has been granted parole prior to his or her  
 8 release, both orally and in writing, of the following

9 (1) That if his or her driver's license or driving privileges have been suspended solely for  
 10 failure to pay costs, fines, or other penalties as a result of a criminal conviction, that changes in the  
 11 law have occurred whereby failure to pay these obligations is no longer a basis for suspending a  
 12 driver's license. A person whose driver's license was previously suspended solely for the  
 13 nonpayment of costs, fines, forfeitures, or penalties, if otherwise eligible, may have his or her  
 14 license reinstated notwithstanding the fact that those obligations remain unpaid, upon request to  
 15 the Division of Motor Vehicles for reinstatement; and

16 (2) That if he or she is a resident of this state, he or she may still have privileges to register  
 17 to vote and to vote in public elections in this state notwithstanding his or her criminal conviction,

- 18 subject to certain exceptions, and shall provide the parolee with the requirements of eligibility to  
19 vote as provided in §3-2-2 of this code and with basic information on how to register to vote.

NOTE: The purpose of this bill is to provide that persons granted parole prior to release be notified that a driver's license may no longer be suspended solely for failure to pay costs, fines, or penalties and of eligibility to vote in public elections.

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