

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 746

BY SENATOR WOODRUM

[Originating in the Committee on Government

Organization; reported February 21, 2024]

1 A BILL to amend and reenact §15A-8-2 and §15A-8-3 of the Code of West Virginia, 1931, as
2 amended, all relating to the composition of the West Virginia Regional Jail and
3 Correctional Facility Authority Board and scheduled meetings.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY BOARD.

**§15A-8-2. West Virginia Regional Jail and Correctional Facility Authority Board;
composition; appointment; terms; compensation and expenses.**

1 The West Virginia Regional Jail and Correctional Facility Authority Board is continued. The
2 members of the board in office on the date this section takes effect shall, unless sooner removed,
3 continue to serve until their respective terms expire and until their successors have been
4 appointed and qualified.

5 The authority shall be governed by a board of ~~nine~~ 11 members, ~~seven~~ nine of whom are
6 entitled to vote on matters coming before the authority. The complete governing board shall
7 consist of the Commissioner of the Division of Corrections and Rehabilitation; the Assistant
8 Commissioner for the Bureau of Juvenile Services; the Secretary of the Department of ~~Military~~
9 ~~Affairs and Public Safety~~ Homeland Security; the Secretary of the Department of Administration,
10 or his or her designated representative; ~~two~~ four county commissioners and one sheriff appointed
11 by the Governor, no more than ~~two~~ three of which may be of the same political party; and two
12 citizens appointed by the Governor to represent the areas of law and medicine. The
13 Commissioner of the Division of Corrections and Rehabilitation and the Assistant Commissioner
14 for the Bureau of Juvenile Services shall serve in an advisory capacity and are not entitled to vote
15 on matters coming before the authority. Members of the Legislature are not eligible to serve on
16 the board.

17 The Governor shall nominate and, by and with the advice and consent of the Senate,
18 appoint the ~~five~~ seven appointed members of the authority for staggered terms of four years.

19 Any appointed member whose term has expired shall serve until his or her successor has
20 been duly appointed and qualified. Any person appointed to fill a vacancy shall serve only for the
21 unexpired term. Any appointed member is eligible for reappointment. Members of the board are
22 not entitled to compensation for services performed as members but are entitled to
23 reimbursement for all reasonable and necessary expenses actually incurred in the performance
24 of their duties.

25 All members of the board shall execute an official bond in a penalty of \$10,000,
26 conditioned as required by law. Premiums on the bond shall be paid from funds accruing to the
27 Division of Corrections and Rehabilitation. The bond shall be approved as to form by the Attorney
28 General and as to sufficiency by the Governor and, when fully executed and approved, shall be
29 filed in the office of the Secretary of State.

§15A-8-3. Governing body; organization and meetings; quorum; administrative expenses.

1 (a) The board shall consist of the voting members of the board as provided for in §15A-8-
2 2 of this code and shall exercise all the powers given to the authority in this article. On the second
3 Monday of July of each odd-numbered year, the board shall meet to elect a chair and a secretary
4 from among its own members. The Secretary of the Department of Administration or his or her
5 designated representative shall serve as treasurer of the board. The board shall otherwise meet
6 ~~two~~ four times a year, unless a special meeting is called by its chair.

7 (b) A majority of the members of the board constitute a quorum, and a quorum must be
8 present for the board to conduct business. Unless the bylaws require a larger number, action may
9 be taken by majority vote of the members present.

10 (c) The board shall prescribe, amend, and repeal bylaws and rules governing the manner
11 in which the business of the authority is conducted and shall review and approve the budget
12 prepared by the executive director annually.

13 (d) All costs incidental to the administration of the board shall be paid from the jail
14 operation fund by the Commissioner of the Division of Corrections and Rehabilitation.