

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2361**

By Delegate Kelly

[Introduced February 13, 2025; referred

to the Committee on the Judiciary ]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new  
2 sections, designated §15A-3-19 and §15A-3-20, relating to creating Regional Jail  
3 Commissions; setting forth the composition of the commissions; setting forth the terms of  
4 the members; setting forth compensation of the members; setting forth administrative  
5 responsibilities; creating powers and duties of the commissions; and requiring reports.

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

**ARTICLE 3. DIVISION OF CORRECTIONS AND REHABILITATION.**

**§15A-3-19.** **Regional** **Jail** **Commissions.**

1 (a) There is hereby created in each region a regional jail commission composed of the  
2 following members: The sheriff from each county in the region or his or her designated  
3 representative; a member of the county commission from each county in the region chosen by the  
4 commission or a designated representative; one mayor from each county in the region to be  
5 appointed the commissioner from a list of names submitted by the West Virginia municipal league,  
6 or a designated representative; a circuit court judge from each county in the region, selected by  
7 the chief justice of the Supreme Court of Appeals, or a designated representative; and three  
8 persons from the region who are representative of the areas of law, medicine, and education to be  
9 appointed by the commissioner. Members of the commission will serve for a term of three years.

10 (b) Any appointed member whose term has expired shall serve until his or her successor  
11 has been duly appointed and qualified. Any person appointed to fill a vacancy shall serve only for  
12 the unexpired term. Any appointed member is eligible for reappointment. Members of the  
13 commission are not entitled to compensation for services performed as members but are entitled  
14 to reimbursement for all reasonable and necessary expenses actually incurred in the performance  
15 of their duties. The county commission from each county in the region shall provide the  
16 commission with secretarial and other necessary services.

**§15A-3-20. General power of the Regional Jail Commissions.**

1 (a) Beginning after the effective date of this section in the 2025 Regular Session of the

2 Legislature, each regional jail commission shall annually on or before November 30 prepare and  
3 submit such suggestions and recommendations as to the efficacy of community-based  
4 correctional programs which provide the judicial system with alternatives to pretrial incarceration  
5 and sentencing alternatives for those offenders who may require less than institutional custody, to  
6 the Governor, the Speaker of the House of Delegates, the President of the Senate, and, upon  
7 request, to any individual member of the Legislature.

8       (b) The reports of the commissions may include, but are not limited to:

9           (1) The development of programs in cooperation with community medical and mental  
10 health centers in the region to provide adequate medical and substance use disorder services;

11           (2) A statistical summary of the number of persons diverted from institutional custody to  
12 non-carceral community-based correctional services and the reasons for lack of the use of such  
13 services;

14           (3) Identification of innovative or technological solutions to better train and equip  
15 community corrections facilities to monitor offenders and ensure compliance;

16           (4) A study of the limitation of access to community corrections programs for offenders  
17 residing in rural areas of the state and solutions to such obstacles by making programs and  
18 services more accessible and encouraging positive behavioral changes, including through the use  
19 of innovative or technological innovations;

20           (5) The use of web-based mobile applications to enhance community supervision which  
21 would allow community-based service providers to complete individualized conditions of  
22 supervision and other court-ordered responsibilities; and

23           (6) The availability of grants or other funding necessary to accomplish the  
24 recommendations of the commission and the potential costs involved in the implementation of  
25 commission recommendations.

NOTE: The purpose of this bill is to create Regional Jail Commissions; to set forth the

composition of the commissions, the terms of the members, the compensation of the members, the administrative responsibilities, create the powers and duties of the commissions, and require reports.

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