

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 628**

4 (By Senators Plymale, Kessler (Mr. President), Chafin, Jenkins,
5 Cann, D. Hall, Miller and Cookman)

6 _____
7 [Originating in the Committee on the Judiciary;
8 reported March 28, 2013.]

**FISCAL
NOTE**

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13 A BILL to amend the Code of West Virginia, 1931, as amended, by
14 adding thereto a new section, designated §62-12-5a, relating
15 to authorizing the Supreme Court of Appeals to establish a
16 special pilot program for the appointment of additional
17 probation officers in up to five circuits to address truancy.

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

19 That the Code of West Virginia, 1931, as amended, be amended
20 by adding thereto a new section, designated §62-12-5a, to read as
21 follows:

22 **ARTICLE 12. PROBATION AND PAROLE.**

23 **§62-12-5a. Pilot program for appointment of additional probation**
24 **officers to address truancy.**

1 The Supreme Court of Appeals is hereby authorized to establish
2 a special pilot program for the appointment of additional probation
3 officers to address truancy in five circuits. The program should
4 include a procedure for a circuit court judge to apply to the
5 Supreme Court for prior approval to appoint an additional probation
6 officer designated to handle truancy matters. If circuit court
7 judges in fewer than five different counties apply, the Supreme
8 Court may grant prior approval for an additional probation officer
9 in all counties for which an application is submitted. In choosing
10 the counties for which prior approval is granted, the court is
11 requested to consider such factors as the strength of the program
12 in the county to address truancy, the support of the education
13 system and court system within the county for the program, the need
14 for an additional probation officer to address truancy and other
15 factors considered relevant by the court. Pursuant to section five
16 of this article, the costs of the salary of the additional
17 probation officer, his or her reasonable and necessary expenses
18 actually incurred in the line of duty in the field and needed
19 equipment and supplies shall be charged against the judicial
20 accounts of the state.