

COMMITTEE SUBSTITUTE

FOR

**H. B. 2527**

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(BY DELEGATE(S) PASDON, MARCUM, KESSINGER,  
R. PHILLIPS AND UPSON)

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(Originating in the House Committee on Education)

[February 11, 2015]

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A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-2-8, relating to establishing the Task Force on Prevention of Sexual Abuse of Children; authorizing section to be called “Erin Merry’n’s Law”; specifying membership; specifying responsibilities, including report of recommendations to Legislature and Governor; precluding member compensation or expense reimbursement.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §49-2-8, to read as follows:

**ARTICLE 2. STATE RESPONSIBILITIES FOR THE PROTECTION AND CARE OF CHILDREN.**

**§49-2-8. Task Force on Prevention of Sexual Abuse of Children.**

1        (a) This section may be referred to as “Erin Merryn’s Law”.

2        (b) The Task Force on Prevention of Sexual Abuse of

3 Children is established. The task force consists of the following

4 members:

5        (1) The Chair of the West Virginia Senate Committee on

6 Health and Human Resources, or his or her designee;

7        (2) The Chair of the House of Delegates Committee on

8 Health and Human Resources, or his or her designee;

9        (3) The Chair of the West Virginia Senate Committee on

10 Education, or his or her designee;

11        (4) The Chair of the House of Delegates Committee on

12 Education, or his or her designee;

13        (5) One citizen member appointed by the President of the

14 Senate;

15 (6) One citizen member appointed by the Speaker of the  
16 House of Delegates;

17 (7) One citizen member, who is a survivor of child sexual  
18 abuse, appointed by the Governor;

19 (8) The President of the State Board of Education, or his or  
20 her designee;

21 (9) The State Superintendent of Schools, or his or her  
22 designee;

23 (10) The Secretary of the Department of Health and Human  
24 Resources, or his or her designee;

25 (11) The Director of the Prosecuting Attorney's Institute, or  
26 his or her designee;

27 (12) One representative of each statewide professional  
28 teachers' organization, each selected by the leader of his or her  
29 respective organization;

30 (13) One representative of the statewide school service  
31 personnel organization, selected by the leader of the  
32 organization;

33 (14) One representative of the statewide school principals'  
34 organization, appointed by the leader of the organization;

35       (15) One representative of the statewide professional social  
36 workers' organization, appointed by the leader of the  
37 organization;

38       (16) One representative of a teacher preparation program of  
39 a regionally accredited institution of higher education in the  
40 state, appointed by the Chancellor of the Higher Education  
41 Policy Commission;

42       (17) The Chief Executive Officer of the Center for  
43 Professional Development, or his or her designee;

44       (18) The Director of Prevent Child Abuse West Virginia, or  
45 his or her designee;

46       (19) The Director of the West Virginia Child Advocacy  
47 Network, or his or her designee;

48       (20) The Director of the West Virginia Coalition Against  
49 Domestic Violence, or his or her designee;

50       (21) The Director of the West Virginia Foundation for Rape  
51 Information and Services, or his or her designee;

52       (22) The Administrative Director of the West Virginia  
53 Supreme Court of Appeals, or his or her designee;

54 (23) The Executive Director of the West Virginia Sheriffs'  
55 Association, or his or her designee;

56 (24) One representative of an organization representing law  
57 enforcement, appointed by the Superintendent of the West  
58 Virginia State Police; and

59 (25) One practicing school counselor.

60 (c) To the extent practicable, members of the task force shall  
61 be individuals actively involved in the fields of child abuse and  
62 neglect prevention and child welfare.

63 (d) At the joint call of the House of Delegates and Senate  
64 Education Committee Chairs, the task force shall convene its  
65 first meeting and by majority vote of members present elect  
66 presiding officers. Subsequent meetings shall be at the call of the  
67 presiding officer.

68 (e) The task force shall make recommendations for  
69 decreasing incidence of sexual abuse of children in West  
70 Virginia. In making those recommendations, the task force shall:

71 (1) Gather information regarding sexual abuse of children  
72 throughout the state;

73 (2) Receive related reports and testimony from individuals,  
74 state and local agencies, community-based organizations, and  
75 other public and private organizations;

76 (3) Create goals for state education policy that would prevent  
77 sexual abuse of children;

78 (4) Create goals for other areas of state policy that would  
79 prevent sexual abuse of children; and

80 (5) Submit a report with its recommendations to the  
81 Governor and the Legislature.

82 (f) The recommendations may include proposals for specific  
83 statutory changes and methods to foster cooperation among state  
84 agencies and between the state and local governments. The task  
85 force shall consult with employees of the Bureau for Children  
86 and Family Services, the Division of Justice and Community  
87 Services, the West Virginia State Police, the State Board of  
88 Education, and any other state agency or department as  
89 necessary to accomplish its responsibilities under this section.

90 (g) Task force members serve without compensation and do  
91 not receive expense reimbursement.”



