

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 104**

BY SENATORS PLYMALE, WOELFEL AND STOLLINGS

[Originating in the Committee on the Judiciary;

reported on February 27, 2016]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §15-2-24c, relating to declaring Forensic DNA Analysis Laboratory of the  
3 Marshall University Forensic Science Center to be engaged in administration of criminal  
4 justice as that term is defined in 28 C. F. R. 20.3(b); requiring Marshall University Forensic  
5 Science Center and the West Virginia State Police to confer as to available grants and  
6 similar possible funding sources and applications therefor; affording West Virginia State  
7 Police primacy of decisionmaking over Marshall University Forensic Science Center as to  
8 which entity may apply for certain grants; and directing West Virginia State Police and  
9 Marshall University Forensic Science Center to execute an agreement to ensure  
10 compliance with the section provisions.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §15-2-24c, to read as follows:

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-24c. Relationship with Marshall University Forensic Science Center.**

1 (a) The Forensic DNA Analysis Laboratory of the Marshall University Forensic Science  
2 Center is hereby declared to be engaged in the administration of criminal justice as that term is  
3 defined in 28 C. F. R. 20.3(b).

4 (b) The Marshall University Forensic Science Center and the West Virginia State Police  
5 shall confer with each other as to available grants or similar possible funding sources and  
6 applications therefor.

7 (c) To avoid duplicative and wasteful use of limited resources and to ensure maximum  
8 utilization of available funds, the West Virginia State Police shall have primacy of decisionmaking  
9 over the Marshall University Forensic Science Center with regard to applications for particular  
10 grants or funding in which both entities may have an interest to which the Marshall University  
11 Forensic Science Center shall accede.

12           (d) The West Virginia State Police and the Marshall University Forensic Science Center  
13 shall execute a written agreement to ensure compliance with the provisions of subsection (c) of  
14 this section.