

SB 717

FILED

2002 MAR 21 P 6:42

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 2002



ENROLLED

SENATE BILL NO. 717

(By Senator Woodruff ET AL)



PASSED MARCH 8, 2002

In Effect From Passage

FILED

2002 MAR 21 P 6:42

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 717

(BY SENATORS WOOTON, CALDWELL, FACEMYER, HUNTER,
MINARD, REDD, ROSS, ROWE AND SNYDER)

[Passed March 8, 2002; in effect from passage.]

AN ACT to amend and reenact section two, article five-e, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying the authority of the director of the division of juvenile services to determine the facility in which to place children ordered into his or her custody.

Be it enacted by the Legislature of West Virginia:

That section two, article five-e, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5E. DIVISION OF JUVENILE SERVICES.

§49-5E-2. Division created; transfer of functions; employment of comprehensive strategy.

1 (a) There is hereby created the division of juvenile
2 services within the department of military affairs and
3 public safety. The director shall be appointed by the
4 governor with the advice and consent of the Senate and
5 shall be responsible for the control and supervision of each
6 of its offices. The director may appoint deputy directors
7 and assign them duties as may be necessary for the effi-
8 cient management and operation of the division.

9 (b) The division of juvenile services shall consist of two
10 subdivisions:

11 (1) The office of juvenile detention, which shall assume
12 responsibility for operating and maintaining centers for
13 the predispositional detention of juveniles, including
14 juveniles who have been transferred to adult criminal
15 jurisdiction under section ten, article five of this chapter
16 and juveniles who are awaiting transfer to a juvenile
17 corrections facility; and

18 (2) The office of juvenile corrections, which shall assume
19 responsibility for operating and maintaining juvenile
20 corrections facilities.

21 (c) Notwithstanding any provisions of this code to the
22 contrary, whenever a juvenile is ordered into the custody
23 of the division of juvenile services, the director shall have
24 the authority to place the juvenile while he or she is in the
25 division's custody at whichever facility operated by the
26 division is deemed by the director to be most appropriate
27 considering the juvenile's well-being and any recommen-
28 dations of the court placing the juvenile in the division's
29 custody.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within is approved this the 21st
Day of March, 2002.

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/15/02

Time 5:40 pm