1	Senate Bill No. 665
2	(By Senator Kessler (Mr. President) and Klempa)
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4	[Introduced February 20, 2012; referred to the Committee on the
5	Judiciary.]
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10	A BILL to amend and reenact $\$62\mathchar`-12\mathchar`-7$ of the Code of West Virginia,
11	1931, as amended, relating to requiring probation officers in
12	preparing a presentence report to calculate and list the
13	financial costs to the county and the state of different forms
14	of sentencing available to the court.
15	Be it enacted by the Legislature of West Virginia:
16	That §62-12-7 of the Code of West Virginia, 1931, as amended,
17	be amended and reenacted to read as follows:
18	ARTICLE 12. PROBATION AND PAROLE.
19	§62-12-7. Preliminary investigation; report on prospective
20	probationers.
21	When directed by the court, the probation officer shall make
22	a careful investigation of, and a written report with
23	recommendations concerning, any prospective probationer. Insofar

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1 as practicable this report shall include information concerning the 2 offender's court and criminal record, occupation, family 3 background, education, habits and associations, mental and physical 4 condition, the names, relationship, ages and condition of those 5 dependent upon him or her for support and shall contain a list 6 showing the costs to the county and the state of the different 7 forms of sentencing available to the court and such other facts as 8 may aid the court in determining the propriety and conditions of 9 his or her release on probation. No person convicted of a felony 10 or of any offense described in article eight-b or eight-d, chapter 11 sixty-one of this code against a minor child may be released on 12 probation until this report shall have been presented to and 13 considered by the court. The court may in its discretion request 14 such a report concerning any person convicted of a misdemeanor. 15 The presentence report of any person convicted of an offense, 16 described in said articles or section twelve, article eight of said 17 chapter, may include a statement from a therapist, psychologist or 18 physician who is providing treatment to the child. A copy of all 19 reports shall be filed with the board of probation and parole.

NOTE: The purpose of this bill is to require the probation officer in preparing a presentence report to calculate the costs associated with the potential different forms of sentencing that may be imposed by the court.

Strike-throughs indicate language that would be stricken from

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the present law, and underscoring indicates new language that would be added.