WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 422

(By Mr. Bandow, M. V. Chilton)

PASSED ____________________ 1959

In Effect _________________ Passage

Filed in Office of the Secretary of State
of West Virginia ____________________ MAR 20 1959

JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

House Bill No. 422
(By Mr. Boiarsky and Mr. Chilton)

[Passed March 14, 1959; in effect from passage.]

AN ACT to amend and reenact section three, article five, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to criminal jurisdiction of persons under eighteen years of age.

Be it enacted by the Legislature of West Virginia:

That section three, article five, 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:

Section 3. Criminal Jurisdiction.—Except as to a violation of law which if committed by an adult would be a capital offense, the juvenile court shall have exclusive jurisdiction to hear and determine criminal charges including a charge of violation of a municipal ordinance, against a person who is under eighteen years of age at the time of the alleged offense.
If during the pendency of a criminal proceeding against a person in a court other than a juvenile court, it shall be ascertained, or it shall appear, that the person was under the age of eighteen years at the time of the alleged offense, the court, judge or magistrate shall immediately transfer the case with all the papers, documents, and testimony connected therewith to the juvenile court having jurisdiction. The juvenile court shall proceed to hear and dispose of the case in the same manner as if it had been instituted in that court in the first instance: Provided, however, That for violations of the traffic laws of West Virginia as contained in chapter seventeen-c of this code, or for the violation of a municipal traffic ordinance, justices of the peace courts and municipal courts when appropriate shall have concurrent jurisdiction with the juvenile court and such persons under the age of eighteen years shall be liable for punishment for violation of such traffic statutes and ordinances in the same manner as adults.

Any person who is under the age of eighteen years shall be entitled to be admitted to bail or recognizance in the same manner as a person over the age of eighteen years,
and shall have the protection guaranteed by article three, section five of the constitution of West Virginia, and also the right to be admitted to bail or recognizance in the same manner as a person over the age of eighteen years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 20th day of March, 1959.

Governor