

HB 2376

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OFFICE OF THE CLERK OF THE HOUSE OF DELEGATES
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

Com. Sub. for
HOUSE BILL No. 2376

(By Delegates Lynch, Kuhn & Collins)



Passed March 11, 1995

In Effect 90 Days From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2376

(BY DELEGATES LINCH, KUHN AND COLLINS)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine, relating to allowing school bus drivers to present their complaints directly to a magistrate without first presenting the complaint to the prosecuting attorney or other law- enforcement agency.

Be it enacted by the Legislature of West Virginia:

That article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section nine, to read as follows:

ARTICLE 12. SPECIAL STOPS REQUIRED.

§17C-12-9. School bus drivers may present complaint directly to magistrate.

1 Notwithstanding any other provision of this code to the
2 contrary, a person authorized by law to operate a school
3 bus, as that term is defined in section seven, article one,
4 chapter seventeen-c, may submit a complaint directly to a
5 magistrate without first presenting the complaint to the

6 prosecuting attorney or other law-enforcement agency, if
7 the complaint is based upon a violation of subsection (a),
8 section seven, article twelve, chapter seventeen-c.

9 The complaint shall be in the form of a written
10 statement of the essential facts constituting the offense
11 charged. The complaint shall be presented to and sworn
12 before a magistrate in the county where the offense is
13 alleged to have occurred.

14 If it appears from the complaint, or from an affidavit
15 or affidavits filed with the complaint, that there is probable
16 cause to believe that an offense has been committed and
17 that the defendant committed it, a warrant for the arrest of
18 the defendant shall be issued to any officer authorized by
19 law to arrest persons charged with offenses against the
20 state.

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

Randy Schrock
Chairman Senate Committee

Ernest C. Moore
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Russell E. Adams
Clerk of the Senate

Donald L. Hupp
Clerk of the House of Delegates

Carl Ray Tomblin
President of the Senate

Paul Abner
Speaker of the House of Delegates

The within *is approved* this the *24th*
day of *March* 1995.

Winston Compton
Governor



PRESENTED TO THE

GOVERNOR R

Date 3/24/95

Time 3:56 PM