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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## Com. Sub. for House Bill No. 4530

(By Delegates Trump, Staton, Ashley,  
Buchanan, Webb and Fleischauer)



Passed March 14, 1998

In Effect Ninety Days from Passage

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STATE OF WEST VIRGINIA

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COMMITTEE SUBSTITUTE

FOR

# H. B. 4530

(BY DELEGATES TRUMP, STATON, ASHLEY,  
BUCHANAN, WEBB AND FLEISCHAUER)

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[Passed March 14, 1998; in effect ninety days from passage.]

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AN ACT to amend article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten-b, relating generally to parent education classes for parents of minor children when the parents are involved in actions for divorce, paternity, custody or separate maintenance.

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

That article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten-b, to read as follows:

**ARTICLE 2. DIVORCE, ANNULMENT AND SEPARATE MAINTENANCE.**

**§48-2-10b. Parent education classes.**

- 1 (a) A circuit court, or a judge thereof, may, by
- 2 administrative rule or order, and with the approval of the

3 supreme court of appeals, designate an organization or  
4 agency to establish and operate education programs  
5 designed for parents who have filed an action for divorce,  
6 paternity, support or separate maintenance and who have  
7 minor children. The education programs shall be  
8 designed to instruct and educate parents about the effects  
9 of divorce and custody disputes on their children and to  
10 teach parents ways to help their children and minimize  
11 their trauma.

12 (b) The circuit court may issue an order requiring  
13 parties to an action for divorce, paternity, custody or  
14 separate maintenance to attend parental education classes  
15 established pursuant to subsection (a) of this section and  
16 may, by order, establish sanctions for failure to attend.

17 (c) The circuit court may require that each person  
18 attending a parental education class pay a fee, not to  
19 exceed twenty-five dollars, to the clerk of such court to  
20 defray the cost of materials and of hiring teachers:  
21 *Provided*, That where it is determined that a party is  
22 indigent and unable to pay for such classes, the court shall  
23 waive the payment of the fee for such party. The clerk of  
24 the circuit court shall, on or before the tenth day of each  
25 month, transmit all fees collected under this subsection to  
26 the state treasurer for deposit in the state treasury to the  
27 credit of special revenue fund to be know as the "parental  
28 education fund", which is hereby created. All moneys  
29 collected and received under this subsection and paid into  
30 the state treasury and credited to the "parental education  
31 fund" shall be used by the administrative office of the  
32 supreme court of appeals solely for reimbursing the  
33 provider of parental education classes for the costs of  
34 materials and of providing such classes. Such moneys  
35 shall not be treated by the auditor and treasurer as part of  
36 the general revenue of the state.

37 (d) The administrative office of the supreme court of  
38 appeals shall submit a report to the joint committee on  
39 government and finance summarizing the effectiveness of  
40 any program of parent education no later than two years  
41 from the initiation of the program.

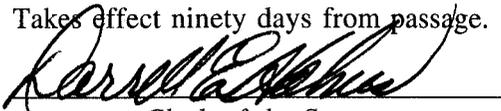
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

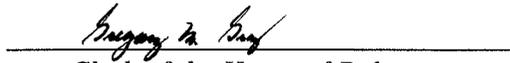
  
Chairman Senate Committee

  
Chairman House Committee

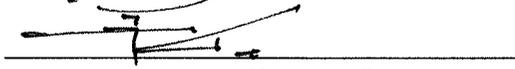
Originating in the House.

Takes effect ninety days from passage.

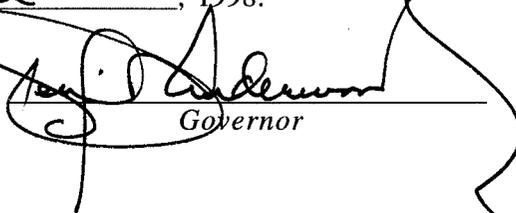
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 7th  
day of April, 1998.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 12:00pm