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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

House Bill No. 4558

(By Delegates Givens, Douglas, Fleischauer,
Mezzatesta, Staten, Fackemyer and Trump)



Passed March 14, 1998

In Effect July 1, 1998

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H. B. 4558

(BY DELEGATES GIVENS, DOUGLAS, FLEISCHAUER,
MEZZATESTA, STATON, FACEMYER AND TRUMP)

[Passed March 12, 1998; in effect July 1, 1998.]

AN ACT to repeal chapter one hundred eighty-five of the Acts of the Legislature, one thousand nine hundred fifty-five; and to amend and reenact section four, article five-e, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to the Kanawha home for children; transferring all responsibility for the home to the division of juvenile services within the department of military affairs and public safety; authorizing the division of juvenile services to enter into a lease agreement with the county commission of the county of Kanawha for the home; providing for the home to be operated, managed and maintained as a secure predispositional detention facility for certain juveniles under the control of the division of juvenile services; and providing for an effective date.

Be it enacted by the Legislature of West Virginia:

That chapter one hundred eighty-five of the Acts of the West Virginia Legislature, one thousand nine hundred fifty-five, be repealed; and that section four, article five-e, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 5E. DIVISION OF JUVENILE SERVICES.

§49-5E-4. Transfer of Kanawha home for children to the division of juvenile services.

1 (a) "Kanawha home for children" means the county
2 home for the detention of juvenile delinquents or children
3 charged with delinquency as established by the county
4 commission of Kanawha County pursuant to the
5 provisions of a local bill, House Bill No. 141, enacted by
6 the Legislature on the fourteenth day of February, one
7 thousand nine hundred fifty-five, as set forth in the Acts
8 of the West Virginia Legislature, Regular Session, 1955,
9 ch. 185.

10 (b) After the effective date of the amendment to this
11 section, enacted during the regular session of the
12 Legislature, one thousand nine hundred ninety-eight, the
13 division of juvenile services shall assume all responsibility
14 for funding, operating, maintaining, administering and
15 managing the Kanawha home for children. To this end,
16 the director of the division of juvenile services may enter
17 into a lease agreement with the Kanawha county
18 commission, for the premises and all improvements,
19 appurtenances, equipment and furnishings on the premises
20 constituting the Kanawha home for children, and may
21 operate, manage and maintain the facility as one of the
22 several centers under the supervision and control of the
23 division which provide secure predispositional detention
24 of juveniles, including juveniles who have been transferred
25 to adult criminal jurisdiction under section ten, article five
26 of this chapter and juveniles who are awaiting transfer to a
27 juvenile corrections facility.

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

Ray Johnson

Chairman Senate Committee

Vick Fontana

Chairman House Committee

Originating in the House.

Takes effect July 1, 1998.

Carroll Adams

Clerk of the Senate

Raymond W. Boy

Clerk of the House of Delegates

Carl Ray Tomblin

President of the Senate

W. L. ...

Speaker of the House of Delegates

The within approved this the 25th
day of March, 1998.

Jeff Abernethy

Governor

PRESENTED TO THE

GOVERNOR

Date

3/20/98

Time

4:30 pm