WEST VIRGINIA LEGISLATURE
Regular Session 2002

ENROLLED

SENATE BILL NO. 717

(By Senator [Signature]

PASSED [March 8, 2002]

In Effect [From Passage]
ENROLLED

Senate Bill No. 717

(BY SENATORS WOOTON, CALDWELL, FACEMYER, HUNTER, MINARD, REDD, ROSS, ROWE AND SNYDER)

[Passed March 8, 2002; in effect from passage.]

AN ACT to amend and reenact section two, article five-e, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying the authority of the director of the division of juvenile services to determine the facility in which to place children ordered into his or her custody.

Be it enacted by the Legislature of West Virginia:

That section two, article five-e, 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:

ARTICLE 5E. DIVISION OF JUVENILE SERVICES.

§49-5E-2. Division created; transfer of functions; employment of comprehensive strategy.
(a) There is hereby created the division of juvenile services within the department of military affairs and public safety. The director shall be appointed by the governor with the advice and consent of the Senate and shall be responsible for the control and supervision of each of its offices. The director may appoint deputy directors and assign them duties as may be necessary for the efficient management and operation of the division.

(b) The division of juvenile services shall consist of two subdivisions:

(1) The office of juvenile detention, which shall assume responsibility for operating and maintaining centers for the predispositional detention of juveniles, including juveniles who have been transferred to adult criminal jurisdiction under section ten, article five of this chapter and juveniles who are awaiting transfer to a juvenile corrections facility; and

(2) The office of juvenile corrections, which shall assume responsibility for operating and maintaining juvenile corrections facilities.

(c) Notwithstanding any provisions of this code to the contrary, whenever a juvenile is ordered into the custody of the division of juvenile services, the director shall have the authority to place the juvenile while he or she is in the division's custody at whichever facility operated by the division is deemed by the director to be most appropriate considering the juvenile's well-being and any recommendations of the court placing the juvenile in the division's custody.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 21st Day of March 2002.

Governor