

SB 436 S

FILED

2007 MAR 16 PM 12: 51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

Senate Bill No. 436

(BY SENATORS KESSLER, OLIVERIO, FOSTER, GREEN,
HUNTER, JENKINS, STOLLINGS, WELLS, WHITE,
BARNES, CARUTH, DEEM, HALL AND YODER)

[Passed March 2, 2007; in effect ninety days from passage.]

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[Passed March 2, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §7-1-3r of the Code of West Virginia, 1931, as amended, relating to selection of executive secretary to county commission on crime, delinquency and correction; and removing circuit clerk from that position.

Be it enacted by the Legislature of West Virginia:

That §7-1-3r of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3r. Purposes of section; county commissions on crime, delinquency and correction created and established; composition of commission; powers and duties of commission; executive secretary; duties of executive secretary.

1 (a) The enactment of the Omnibus Crime Control and
2 Safe City Streets Act of 1968 and subsequent
3 amendments thereto with millions of federal dollars
4 available to local units of government in the fiscal year
5 one thousand nine hundred seventy-two-one thousand
6 nine hundred seventy-three, and the probability that
7 this program will be continued and expanded in future
8 years makes the establishment of a county agency to
9 ensure that the county may make the best use of the
10 benefits of this act.

11 (b) There is hereby established in each county a
12 county commission on crime, delinquency and
13 correction. The commission shall consist of the
14 members of the county commission and such other
15 members as may be designated by the county
16 commission. Members other than the county
17 commission members shall serve at the will and
18 pleasure of the county commission.

19 (c) This commission shall collect and compile all data
20 and other information with respect to police agencies,
21 courts of record and justice of peace courts, prosecution
22 of crimes, probation, jails, juvenile detention facilities
23 and such other matters as might be concerned with the
24 total criminal justice system.

25 (d) The commission shall work closely with the
26 Governor's Committee on Crime, Delinquency and
27 Correction established by Executive Order 7-A66 dated
28 the first day of September, one thousand nine hundred
29 sixty-six.

30 (e) The commission shall analyze the data and
31 information herein required, shall determine federal
32 funds available under the provisions of the state plan
33 developed by the aforesaid Governor's Committee on
34 Crime, Delinquency and Correction and shall make
35 recommendations to the governing body with respect to
36 priorities in the expenditure of funds.

37 (f) The commission may make recommendations with
38 respect to steps to be taken in the county designed to
39 improve the criminal justice system.

40 (g) The commission shall select one of its members to
41 be the executive secretary to the commission and as
42 such shall keep a record of all proceedings, shall collect
43 and compile data and information as may be required
44 by the commission and perform other duties as
45 reasonably may be required by the commission to
46 effectuate the purposes of this section.

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

Nancy White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Harrell Holmes
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

Carl Roy Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this
the *16th* Day of *March*, 2007.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 14 2007

Time 3:15 pm