

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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BARNES, CARUTH, DEEM, HALL AND YODER)

[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.

*Randy White*  
Chairman Senate Committee

*J*  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Darrell Holmes*  
Clerk of the Senate

*Suzanne Bay*  
Clerk of the House of Delegates

*Carl Roy Smith*  
President of the Senate

*B. D.*  
Speaker House of Delegates

The within 15<sup>th</sup> day of March, 2007, this  
the 15<sup>th</sup> Day of March, 2007.

*John W. Winkler*  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 14 2007

Time 3:15 pm