

SB 76

FILED

2007 APR -4 AM 11:19

OFFICE OF THE CLERK OF THE WEST VIRGINIA SENATE
WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 76

(SENATORS KESSLER, YODER, PLYMALE,
FOSTER AND UNGER, *original sponsors*)

[Passed March 10, 2007; in effect July 1, 2007.]

FILED

2007 APR -4 AM 11:19

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 76

(SENATORS KESSLER, YODER, PLYMALE,
FOSTER AND UNGER, *original sponsors*)

[Passed March 10, 2007; to take effect July 1, 2007.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-5-13c, relating to penalties for minors adjudicated delinquent for alcohol, alcoholic liquor, or nonintoxicating beer consumption.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §49-5-13c, to read as follows:

ARTICLE 5. JUVENILE PROCEEDINGS.

§49-5-13c. Graduated sanctions for juvenile alcohol consumption.

1 (a) Notwithstanding any provision of this article to the
2 contrary, in addition to any other penalty available to
3 the court, any child who is adjudicated to have
4 consumed alcoholic liquor or nonintoxicating beer as
5 defined in section five, article one, chapter sixty of this
6 code, shall:

7 (1) Upon a first adjudication, he or she shall be
8 ordered to perform community service for not more
9 than eight hours or fined not more than twenty-five
10 dollars, or both.

11 (2) Upon a second adjudication, he or she shall be
12 ordered to perform community service for not more
13 than sixteen hours or fined not more than fifty dollars,
14 or both.

15 (3) Upon a third or subsequent adjudication, he or she
16 shall be ordered to perform not more than twenty-four
17 hours of community service or fined not more than one
18 hundred dollars, or both.

19 (b) In addition to the penalties set forth in subsection
20 (a) of this section and notwithstanding the provisions of
21 subdivision (4), subsection (c), section thirteen-b of this
22 article, any child adjudicated a second time for
23 consumption of alcoholic liquor or nonintoxicating beer

24 shall have his or her license to operate a motor vehicle
25 suspended for a definite term of not less than five nor
26 more than ninety days. Any child adjudicated a third or
27 subsequent time for consumption of an alcoholic liquor
28 or nonintoxicating beer shall have his or her license to
29 operate a motor vehicle suspended until he or she
30 attains the age of eighteen years.

Enr. Com. Sub. for S. B. No. 76] 4

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 July 1, 2007.

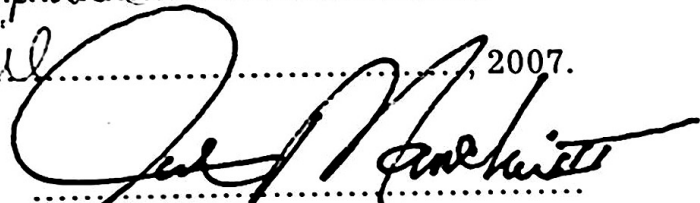

.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within *is approved* this
the *3rd* Day of *April*, 2007.


.....
Governor

PRESENTED TO THE
GOVERNOR

APR 03 2007

Time 1:30 pm