WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2010

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ENROLLED

House Bill No. 4361

(By Delegates Miley, Barker, Susman, Ellem, Schadler, Ferro, Brown, Longstreth, Moore and Ross)

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Passed March 9, 2010

In Effect Ninety Days From Passage
AN ACT to repeal §48-27-803 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-27-206 of said code, all relating generally to the prevention and treatment of domestic violence; removing provisions prohibiting the sharing of information with other governments and law-enforcement agencies; and broadening the definition of “law-enforcement agency” for the purpose of sharing information with the federal government and its agencies.

Be it enacted by the Legislature of West Virginia:

That §48-27-803 of the Code of West Virginia, 1931, as amended, be repealed; and that §48-27-206 of said code, be amended and reenacted to read as follows:

ARTICLE 27. PREVENTION AND TREATMENT OF DOMESTIC VIOLENCE.

§48-27-206. Law-enforcement agency defined.

(a) “Law-enforcement agency” means and is limited to:
(1) The state police and its members;

(2) A county sheriff and his or her law-enforcement deputies; and

(3) A police department in any municipality as defined in section two, article one, chapter eight of this code;

(4) Any federal agency whose purpose includes enforcement, maintenance and gathering of information of both criminal and civil records relating to domestic violence under federal law.

(b) The term “law-enforcement agency” includes, but is not limited to, the Department of Health and Human Resources in those instances of child abuse reported to the department that are not otherwise reported to any other law-enforcement agency.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 16th day of _______ 2010.