

HB 4361

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OFFICE OF THE
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2010



ENROLLED

House Bill No. 4361

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



Passed March 9, 2010

In Effect Ninety Days From Passage

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H. B. 4361

OFFICE OF THE CLERK
SECRETARY OF STATE

(BY DELEGATES MILEY, BARKER, SUSMAN,
ELLEM, SCHADLER, FERRO, BROWN,
LONGSTRETH, MOORE AND ROSS)

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That §48-27-803 of the Code of West Virginia, 1931, as amended, be repealed; and that §48-27-206 of said code, be amended and reenacted to read as follows: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

1 (a) “Law-enforcement agency” means and is limited to:

2 (1) The state police and its members;

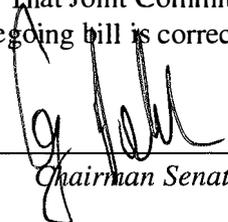
3 (2) A county sheriff and his or her law-enforcement
4 deputies; and

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

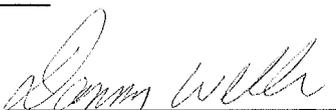
7 (4) Any federal agency whose purpose includes
8 enforcement, maintenance and gathering of information of
9 both criminal and civil records relating to domestic violence
10 under federal law.

11 (b) The term “law-enforcement agency” includes, but is
12 not limited to, the Department of Health and Human
13 Resources in those instances of child abuse reported to the
14 department that are not otherwise reported to any other law-
15 enforcement agency.

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



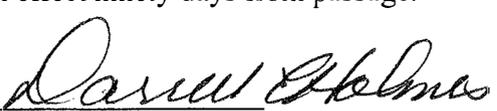
Chairman Senate Committee



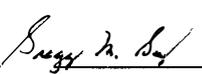
Chairman House Committee

Originating in the House.

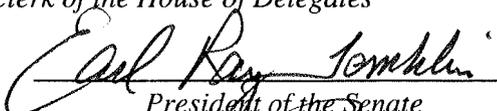
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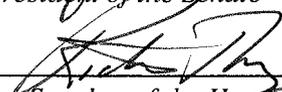
Clerk of the Senate



Clerk of the House of Delegates

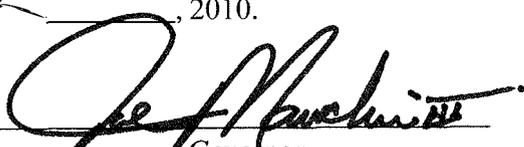


President of the Senate



Speaker of the House of Delegates

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



Governor

PRESENTED TO THE
GOVERNOR

MAR 13 2010

Time 11:40 a