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WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

REGULAR SESSION, 2015



ENROLLED

Senate Bill No. 370

(BY SENATORS COLE (MR. PRESIDENT) AND KESSLER,
BY REQUEST OF THE EXECUTIVE)

[PASSED MARCH 13, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

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(BY SENATORS COLE (MR. PRESIDENT) AND KESSLER,
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[Passed March 13, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §15-9-1, §15-9-2, §15-9-3 and §15-9-5 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §15-9-6; to amend and reenact §15-9A-1, §15-9A-2 and §15-9A-3 of said code; to amend and reenact §15-9B-1 and §15-9B-2 of said code; to amend and reenact §30-29-2, §30-29-3, §30-29-4, §30-29-5, §30-29-6 and §30-29-7 of said code; and to amend and reenact §62-11C-2, §62-11C-3, §62-11C-4, §62-11C-6 and §62-11C-8 of said code, all relating to codifying provisions relating to the Governor's Committee on Crime, Delinquency and Correction and its subcommittees; reorganizing the committee and certain subcommittees; continuing the Governor's Committee on Crime, Delinquency and Correction and providing for membership, terms and authority of the chair; requiring facility inspection in accordance with the Prison Rape Elimination Act; granting authority to the Governor's Committee on Crime, Delinquency and Correction to establish bylaws, policies and procedures; establishing responsibilities of the Governor's Committee on Crime, Delinquency and Correction; stating legislative findings; designating a staffing agency for the Governor's Committee on Crime, Delinquency

and Correction and providing authority and responsibilities; establishing duties of the Director of the Governor's Committee on Crime, Delinquency and Correction; establishing membership criteria and subcommittee status of the Sexual Assault Forensic Examination Commission; establishing powers and duties of the Sexual Assault Forensic Examination Commission; establishing membership criteria and subcommittee status of the Law-Enforcement Professional Standards Subcommittee; establishing powers and duties of the Law-Enforcement Professional Standards Subcommittee; providing for uses of fees collected for the Law-Enforcement Professional Standards Subcommittee and authorizing adjustments of such fees by legislative rule; establishing the Community Corrections Subcommittee, membership and authority; and making technical edits.

Be it enacted by the Legislature of West Virginia:

That §15-9-1, §15-9-2, §15-9-3 and §15-9-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that said code be amended by adding thereto a new section, designated §15-9-6; that §15-9A-1, §15-9A-2 and §15-9A-3 of said code be amended and reenacted; that §15-9B-1 and §15-9B-2 of said code be amended and reenacted; that §30-29-2, §30-29-3, §30-29-4, §30-29-5, §30-29-6 and §30-29-7 of said code be amended and reenacted; and that §62-11C-2, §62-11C-3, §62-11C-4, §62-11C-6 and §62-11C-8 of said code be amended and reenacted, all to read as follows:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 9. GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTION.

§15-9-1. Governor's Committee on Crime, Delinquency and Correction established; Committee designated as state planning.

1 **(a) The Legislature hereby continues and reconstitutes the**
2 **Governor's Committee on Crime, Delinquency and**
3 **Correction.**

4 **(b) The committee is composed of the following**
5 **members:**

6 **(1) The Secretary of the Department of Military Affairs**
7 **and Public Safety, who shall serve as chair;**

8 **(2) The chair of the juvenile justice subcommittee;**

9 **(3) The chair of the community corrections subcommittee**
10 **created by section two, article eleven-c, chapter sixty-two of**
11 **this code;**

12 **(4) The chair of the law-enforcement professional**
13 **standards subcommittee created by section two, article**
14 **twenty-nine, chapter thirty of this code;**

15 **(5) The chair of the sexual assault forensic examination**
16 **commission created by section one, article nine-b, chapter**
17 **fifteen of this code;**

18 **(6) The Superintendent of the State Board of Education;**

19 **(7) A representative of a post-secondary education system**
20 **in this state to be appointed by the Governor. This person**
21 **shall be appointed on or before July 1, 2015, for an initial**
22 **term of two years and then shall be appointed for subsequent**
23 **terms of four years;**

24 **(8) A representative of a faith-based organization to be**
25 **appointed by the Governor. This person shall be appointed**
26 **on or before July 1, 2015, for an initial term of two years and**
27 **then shall be appointed for subsequent terms of four years;**

28 (9) The Administrative Director of the Supreme Court of
29 Appeals who shall serve as an ex officio, nonvoting member;

30 (10) The Executive Director of the West Virginia
31 Prosecuting Attorneys Institute, established pursuant to
32 section six, article four, chapter seven of this code; and

33 (11) The Executive Director of the West Virginia Public
34 Defender Services, established pursuant to section three,
35 article twenty-one, chapter twenty-nine of this code.

36 (c) After initial appointment, members appointed by the
37 Governor pursuant to subsection (b) of this section shall serve
38 for a term of four years from his or her appointment and are
39 eligible for reappointment to that position. A person may not
40 be appointed to the committee who is already a member of
41 the committee by virtue of his or her title or occupation.

42 (d) All members appointed to the committee shall serve
43 until his or her successor has been duly appointed.

44 (e) The Legislature hereby designates the Governor's
45 Committee on Crime, Delinquency and Correction as the
46 state planning agency required for participation by the State
47 of West Virginia in programs provided by the Omnibus
48 Crime Control and Safe Streets Act of 1968, as amended (42
49 United States Code, sections 3701 through 3796c, inclusive)
50 and the Juvenile Justice and Delinquency Prevention Act of
51 1974, as amended (42 United States Code, section 5601).

52 (f) The chair of the Governor's Committee on Crime,
53 Delinquency and Corrections shall:

54 (1) Appoint members and fill vacancies in the
55 membership of the subcommittees in accordance with the
56 statutory provisions governing such appointments.

57 (2) Call meetings of the committee at least quarterly, and
58 at such other times as he or she may direct, or upon request
59 of a majority of the members of the committee.

60 (g) The Director of the Division of Justice and
61 Community Services shall serve as the Executive Director of
62 the Governor's Committee on Crime, Delinquency and
63 Correction and of its subcommittees and the Division of
64 Justice and Community Services shall provide staff support.

§15-9-2. Facility inspection.

1 The Governor's Committee on Crime, Delinquency and
2 Correction or its designee shall annually visit and inspect
3 jails, detention facilities, correctional facilities, facilities
4 which may hold juveniles involuntarily or any other juvenile
5 facility which may temporarily house juveniles on a
6 voluntary or involuntary basis for the purpose of compliance
7 with standards promulgated by the juvenile facilities
8 standards commission, pursuant to section nine-a, article
9 twenty, chapter thirty-one of this code and with the Juvenile
10 Justice and Delinquency Prevention Act of 1974, as
11 amended, and compliance with the Prison Rape Elimination
12 Act, pursuant to 42 U. S. C §15601, and related statutes or
13 regulations.

**§15-9-3. Ascertaining compliance with applicable standards in juvenile
detention and correctional facilities.**

1 The Governor's Committee on Crime, Delinquency and
2 Correction or its designee shall ascertain the compliance of
3 juvenile detention and juvenile correctional facilities operated
4 by or under contract with the Division of Juvenile Services,
5 created pursuant to section two, article five-e, chapter
6 forty-nine of this code, with standards for the structure,
7 physical plant, operation and maintenance of the facilities,

8 promulgated by the juvenile facility standards commission,
9 pursuant to section nine-a, article twenty, chapter thirty-one
10 of this code: *Provided*, That such review shall not include
11 educational programs in such facilities.

§15-9-5. Authorization to adopt bylaws, policies and procedures, and to promulgate legislative rules.

1 The Governor's Committee on Crime, Delinquency and
2 Correction may adopt and modify bylaws, policies and
3 procedures for the conduct of its meetings and the operation
4 of the committee. The Governor's Committee on Crime,
5 Delinquency and Correction may propose legislative rules,
6 for legislative approval, pursuant to article three, chapter
7 twenty-nine-a of this code, for purposes consistent with this
8 act and any responsibilities assigned to it.

§15-9-6. Other responsibilities of the committee.

1 (a) The committee shall receive reports from the
2 subcommittees and direct those reports to be filed with the
3 Governor and the Joint Committee on Government and
4 Finance on or before September 30 of each year.

5 (b) The committee may direct by vote its executive
6 director, staff or any subcommittee to perform tasks related
7 to the purposes of this article, including seeking funding for
8 programs and grants, implementing criminal justice programs
9 authorized by this code or rule, administering funding and
10 grants, researching findings and recommendations,
11 coordinating resources, and any other task or responsibility
12 related to the purposes of this article.

ARTICLE 9A. DIVISION OF JUSTICE AND COMMUNITY SERVICES.

§15-9A-1. Legislative findings.

1 The West Virginia Division of Justice and Community
2 Services is required to perform certain administrative and
3 executive functions related to the improvement of the
4 criminal justice and juvenile justice systems and various
5 component agencies of state and local government with
6 research and performance data, planning, funding and
7 managing programs supported by federal and state-granted
8 funds, and through its staff activities on behalf of the
9 Governor's Committee on Crime, Delinquency and
10 Correction, to provide regulatory oversight of law-
11 enforcement training and certification, community
12 corrections programs established under the provisions of
13 article eleven-c, chapter sixty-two of this code, the
14 monitoring of facilities for compliance with juvenile
15 detention facilities standards established by state and federal
16 law, and the Sexual Assault Forensic Examination
17 Commission created by article nine-b, chapter fifteen of this
18 code. These administrative and executive staffing functions
19 are necessary to provide for planning and coordination of
20 services among the components of the criminal and juvenile
21 justice systems, community corrections and sexual assault
22 forensic examinations; program development and
23 implementation; and administration of grant-funded programs
24 emphasizing safety, prevention, coordination and the general
25 enhancement of the criminal justice system as a whole, as
26 well as such other federal grant-funded activities as the
27 Governor may from time to time designate for administration
28 by the division.

§15-9A-2. Division established; appointment of director.

1 (a) The Division of Justice and Community Services is
2 created. The purpose of the division is to provide executive
3 and administrative support to the Governor's Committee on
4 Crime, Delinquency and Correction in the coordination of
5 planning for the criminal justice system, to administer federal

6 and state grant programs assigned to it by the actions of the
7 Governor or Legislature and to perform such other duties as
8 the Legislature may from time to time assign to the division.
9 The division is the designated staffing agency for the
10 Governor's Committee on Crime, Delinquency and
11 Correction, and all of its subcommittees. The division may
12 apply for grants and other funding from federal or state
13 programs, foundations, corporations and organizations which
14 funding is consistent with its responsibilities and the purposes
15 assigned to it or the subcommittees it staffs. The Division of
16 Justice and Community Services is hereby designated as the
17 state administrative agency responsible for criminal justice
18 and juvenile justice systems, and various component agencies
19 of state and local government, for the planning and
20 development of state programs and grants which may be
21 funded by federal, state or other allocations in the areas of
22 community corrections, law-enforcement training and
23 compliance, sexual assault forensic examinations, victim
24 services and juvenile justice.

25 (b) The director of the division shall be named by the
26 Governor to serve at his will and pleasure.

27 (c) The director of the division shall take and subscribe
28 to an oath of office in conformity with article IV, section five
29 of the Constitution of the State of West Virginia.

§15-9A-3. Duties and powers of the director.

1 (a) The director is responsible for the control and
2 supervision of the division.

3 (b) The director shall be charged with executive and
4 administrative responsibility to: (i) Carry out the specific
5 duties imposed on the Governor's Committee on Crime,
6 Delinquency and Correction under the provisions of article

7 nine, chapter fifteen; article twenty-nine, chapter thirty; and
8 article eleven-c, chapter sixty-two of this code; (ii) maintain
9 appropriate liaison with federal, state and local agencies and
10 units of government, or combinations thereof, in order that all
11 programs, projects and activities for strengthening and
12 improving law enforcement and the administration of
13 criminal justice may function effectively at all levels of
14 government; (iii) seek sources of federal grant assistance
15 programs that may benefit the state when authorized by the
16 Governor and manage the dispersal of those funds through
17 grant contracts to subgrantees in a manner consistent with
18 state and federal law, and with sound and accountable
19 management practices for the efficient and effective use of
20 public funds; (iv) seek sources of program or grant assistance
21 from foundations, corporations and organizations which
22 funding is consistent with its responsibilities and the purposes
23 assigned to the director, the Governor's Committee on Crime,
24 Delinquency and Correction, and any of its subcommittees;
25 and (v) serve as the Executive Director of the Governor's
26 Committee on Crime, Delinquency and Correction and its
27 subcommittees.

28 (c) The director may:

29 (1) Employ necessary personnel, assign them the duties
30 necessary for the efficient management and operation of the
31 division;

32 (2) Work to bridge gaps between federal, state and local
33 units of government, as well as private/nonprofit
34 organizations and the general public;

35 (3) Provide staff assistance in the coordination of all
36 facets of the criminal and juvenile justice systems on behalf

37 of the Governor's Committee on Crime, Delinquency and
38 Correction, including, but not limited to, law enforcement,
39 jails, corrections, community corrections, juvenile justice,
40 sexual assault forensic examinations and victim services;

41 (4) Acquire criminal justice resources and coordinate the
42 allocation of these resources to state, local and not-for-profit
43 agencies;

44 (5) Maintain a web-based database for all community
45 correction programs;

46 (6) Collect, compile and analyze crime and justice data in
47 the state, generating statistical and analytical products for
48 criminal justice professionals and policy makers to establish
49 a basis for sound policy and practical considerations for the
50 criminal justice system and make such recommendations for
51 system improvement as may be warranted by such research
52 and contract with other persons, firms, corporations or
53 organizations to assist in these responsibilities;

54 (7) Receive and disburse federal and state grants and
55 funding received from foundations, corporations or other
56 entities;

57 (8) Propose legislative rules for legislative approval
58 pursuant to article three, chapter twenty-nine-a of this code
59 which may be necessary to fulfill the functions and
60 responsibilities of the Division of Justice and Community
61 Services and the Governor's Committee on Crime,
62 Delinquency and Correction.

63 (d) Nothing in this chapter shall be construed as
64 authorizing the division to undertake direct operational
65 responsibilities in law enforcement or the administration of
66 criminal justice.

ARTICLE 9B. SEXUAL ASSAULT EXAMINATION NETWORK.**§15-9B-1. Sexual Assault Forensic Examination Commission.**

1 (a) The Sexual Assault Forensic Examination
2 Commission is continued as a subcommittee of the
3 Governor's Committee on Crime, Delinquency and
4 Correction. The purpose of the commission is to establish,
5 manage and monitor a statewide system to facilitate the
6 timely and efficient collection of forensic evidence in sexual
7 assault cases. As used in this article, the word "commission"
8 means the Sexual Assault Forensic Examination Commission.

9 (b) Membership on the commission shall consist of the
10 following:

11 (1) A representative chosen from the membership of the
12 West Virginia Prosecuting Attorneys Association who shall
13 be chosen by the president of that organization;

14 (2) A representative chosen from the membership of the
15 West Virginia Association of Counties who shall be chosen
16 by the executive director of that organization;

17 (3) The Commissioner of the Bureau for Public Health,
18 or his or her designee;

19 (4) A representative from the State Police Forensic
20 Laboratory who shall be chosen by the Superintendent of the
21 West Virginia State Police;

22 (5) A representative from the membership of the West
23 Virginia Child Advocacy Network;

24 (6) The President of the West Virginia Hospital
25 Association, or his or her designee;

26 (7) A representative from the membership of the West
27 Virginia Foundation for Rape and Information Services
28 who shall be chosen by the state coordinator of that
29 organization;

30 (8) A representative of the West Virginia University
31 Forensic and Investigative Sciences Program who shall be
32 chosen by the director of that program; and

33 (9) A representative of the Marshall University Forensic
34 Science Center who shall be chosen by the director of that
35 organization.

36 (c) If any of the representative organizations listed in
37 subsection (b) cease to exist, the director of the Division of
38 Justice and Community Services may select a person from a
39 similar organization.

40 (d) The director shall appoint the following additional
41 members of the commission:

42 (1) An emergency room physician licensed to practice
43 and practicing medicine in this state;

44 (2) A victim advocate from a rape crisis center employed
45 in this state;

46 (3) A sexual assault nurse examiner who is engaged in an
47 active practice within this state;

48 (4) A law-enforcement officer in this state with
49 experience in sexual assault investigations;

50 (5) A health care provider with pediatric and child abuse
51 expertise licensed in this state; and

52 (6) A director of a child advocacy center licensed and
53 operating in this state.

54 (e) The commission shall establish mandatory statewide
55 protocols for conducting sexual assault forensic
56 examinations, including designating locations and providers
57 to perform forensic examinations, establishing minimum
58 qualifications and procedures for performing forensic
59 examinations and establishing protocols to assure the proper
60 collection of evidence.

§15-9B-2. Powers and duties of the commission.

1 (a) The commission shall facilitate the recruitment and
2 retention of qualified health care providers that are properly
3 qualified to conduct forensic examinations. The commission
4 shall work with county and regional officials to identify areas
5 of greatest need and develop and implement recruitment and
6 retention programs to help facilitate the effective collection
7 of evidence.

8 (b) The commission shall authorize minimum training
9 requirements for providers conducting exams and establish a
10 basic standard of care for victims of sexual assault. The
11 commission may adopt necessary and reasonable
12 requirements relating to establishment of a statewide training
13 and forensic examination system, including, but not limited
14 to, developing a data collection system to monitor adherence
15 to established standards, assisting exam providers to receive
16 training and support services, advocating the fair and
17 reasonable reimbursement to exam providers and facilitating
18 transportation services for victims to get to and from
19 designated exam locations.

20 (c) The commission shall approve local plans for each
21 area of the state on a county or regional basis. If the

22 commission deems necessary, it may add or remove a county
23 or portion thereof from a region to assure that all areas of the
24 state are included in an appropriate local plan. Upon the
25 failure of any county or local region to propose a plan, the
26 commission may implement a plan for that county or region.

27 (d) Once a plan is approved by the commission, it can
28 only be amended or otherwise altered as provided by the
29 rules authorized pursuant to subsection (e) of this section.
30 Designated facilities and organizations providing services
31 shall give the commission thirty days' advance notice of their
32 intent to withdraw from the plan. If there is a change of
33 circumstances that would require a change in a county or
34 regional plan, the members of the local board and the state
35 commission shall be notified.

36 (e) The commission may adopt and modify bylaws,
37 policies and procedures for the conduct of its meetings and
38 the operation of the committee. The commission may propose
39 rules for legislative approval, in accordance with article three,
40 chapter twenty-nine-a of this code, as are necessary to
41 implement this article.

42 (f) The commission shall elect a chair and a vice chair
43 and such other officers as it deems necessary. Special
44 meetings may be held upon the call of the chair, vice chair
45 or a majority of the members of the commission. A
46 majority of the members of the commission present in
47 person, by proxy or designation, or by electronic means
48 constitutes a quorum.

49 (g) Any member appointed to the commission who is a
50 written designated representative has the full rights of a
51 member, including the right to vote, serve on subcommittees
52 or perform any other function.

53 (h) The commission may make recommendations to the
54 Governor's Committee on Crime, Delinquency and
55 Correction for legislation related to the commission's duties
56 and responsibilities or for research or studies by the Division
57 of Justice and Community Services on topics related to the
58 commission's duties and responsibilities.

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.

§30-29-2. Law-enforcement professional standards subcommittee.

1 (a) The Law-Enforcement Professional Standards
2 Subcommittee is continued as a subcommittee of the
3 Governor's Committee on Crime, Delinquency and
4 Correction. The subcommittee has the following
5 responsibilities:

6 (1) Review and administer programs for qualification,
7 training and certification of law-enforcement officers in the
8 state; and

9 (2) Consider applications by law-enforcement officers
10 whose certification is deemed inactive as a result of his or her
11 separation from employment with a law-enforcement agency.

12 (b) The subcommittee shall be comprised of eleven
13 members, including one representative of each of the
14 following:

15 (1) West Virginia State Police;

16 (2) Law-enforcement section of the Department of
17 Natural Resources;

- 18 (3) West Virginia Sheriffs' Association;
- 19 (4) West Virginia Association of Chiefs of Police;
- 20 (5) West Virginia Deputy Sheriffs' Association;
- 21 (6) West Virginia State Lodge Fraternal Order of Police;
- 22 (7) West Virginia Municipal League;
- 23 (8) West Virginia Association of County Officials;
- 24 (9) Human Rights Commission;
- 25 (10) West Virginia Troopers Association; and
- 26 (11) The public at large.

27 (c) The subcommittee shall elect a chairperson and a vice
28 chairperson. Special meetings may be held upon the call of
29 the chairperson, vice chairperson or a majority of the
30 members of the subcommittee. A majority of the members of
31 the subcommittee who are present in person, by proxy or
32 designation, or by electronic means constitutes a quorum.
33 Any member appointed to the subcommittee who is a written
34 designated representative has the full rights of a member,
35 including the right to vote, serve on subcommittees or
36 perform any other function.

§30-29-3. Duties of the subcommittee.

1 (a) The subcommittee shall, by or pursuant to rules
2 proposed for legislative approval in accordance with article
3 three, chapter twenty-nine-a of this code:

- 4 (1) Provide funding for the establishment and support of
5 law-enforcement training academies in the state;

6 (2) Establish standards governing the establishment and
7 operation of the law-enforcement training academies,
8 including regional locations throughout the state, in order to
9 provide access to each law-enforcement agency in the state
10 in accordance with available funds;

11 (3) Establish minimum law-enforcement instructor
12 qualifications;

13 (4) Certify qualified law-enforcement instructors;

14 (5) Maintain a list of approved law-enforcement
15 instructors;

16 (6) Promulgate standards governing the training, firearms
17 qualification and initial and ongoing professional certification
18 of law-enforcement officers and the entry-level
19 law-enforcement training curricula. These standards shall
20 require satisfactory completion of a minimum of four
21 hundred classroom hours as promulgated by legislative rule,
22 shall provide for credit to be given for relevant classroom
23 hours earned pursuant to training other than training at an
24 established law-enforcement training academy if earned
25 within five years immediately preceding the date of
26 application for certification, and shall provide that the
27 required classroom hours can be accumulated on the basis of
28 a part-time curricula spanning no more than twelve months or
29 a full-time curricula;

30 (7) Establish standards governing in-service
31 law-enforcement officer training curricula and in-service
32 supervisory level training curricula;

33 (8) Certify organized criminal enterprise investigation
34 techniques with a qualified anti-racial profiling training
35 course or module;

36 (9) Establish standards governing mandatory training to
37 effectively investigate organized criminal enterprises as
38 defined in article thirteen, chapter sixty-one of this code
39 while preventing racial profiling, as defined in section ten of
40 this article, for entry level training curricula and for
41 law-enforcement officers who have not received such training
42 as certified by the subcommittee as required in this section;

43 (10) Establish procedures for implementation of a course
44 in investigation of organized criminal enterprises which
45 includes an anti-racial training module to be available on the
46 Internet or otherwise to all law-enforcement officers. The
47 procedures shall include the frequency with which a
48 law-enforcement officer shall receive training in investigation
49 of organized criminal enterprises and anti-racial profiling and
50 a time frame for which all law-enforcement officers must
51 receive such training: *Provided*, That all law-enforcement
52 officers in this state shall receive such training no later than
53 July 1, 2012. In order to implement and carry out the intent
54 of this section, the subcommittee may promulgate emergency
55 rules pursuant to section fifteen, article three, chapter
56 twenty-nine-a of this code;

57 (11) Certify or decertify or reactivate law-enforcement
58 officers, as provided in sections five and eleven of this
59 article;

60 (12) Establish standards and procedures for the reporting
61 of complaints and certain disciplinary matters concerning
62 law-enforcement officers and for reviewing the certification
63 of law-enforcement officers. These standards and procedures
64 shall provide for preservation of records and access to records
65 by law-enforcement agencies and conditions as to how the
66 information in those records is to be used regarding an
67 officer's law-enforcement employment by another law-
68 enforcement agency;

69 (A) The subcommittee shall establish and manage a
70 database that is available to all law-enforcement agencies in
71 the state concerning the status of any person's certification.

72 (B) Personnel or personal information not resulting in a
73 criminal conviction is exempt from disclosure pursuant to the
74 provisions of chapter twenty-nine-b of this code.

75 (13) Seek supplemental funding for law-enforcement
76 training academies from sources other than the fees collected.
77 pursuant to section four of this article;

78 (14) Any responsibilities and duties as the Legislature
79 may, from time to time, see fit to direct to the subcommittee;
80 and

81 (15) Submit, on or before September 30 of each year, to
82 the Governor, the Speaker of the House, the President of the
83 Senate and, upon request, to any individual member of the
84 Legislature a report on its activities during the previous year
85 and an accounting of funds paid into and disbursed from the
86 special revenue account established pursuant to section four
87 of this article.

88 (16) Develop and promulgate rules for state, county and
89 municipal law-enforcement officers, law-enforcement
90 agencies, and communications and emergency operations
91 centers that dispatch law-enforcement officers with regard to
92 the identification, investigation, reporting and prosecution of
93 suspected child abuse and neglect: *Provided*, That such rules
94 and procedures must be consistent with the priority criteria
95 prescribed by generally applicable department procedures.

96 (17) Make recommendations to the Governor's
97 Committee on Crime, Delinquency and Correction for
98 legislation related to the subcommittee's duties and

99 responsibilities, or for research or studies by the Division of
100 Justice and Community Services on topics related to the
101 subcommittee's duties and responsibilities.

102 (b) In addition to the duties authorized and established by
103 this section, the subcommittee may:

104 (1) Establish training to effectively investigate human
105 trafficking offenses as defined in article two, chapter
106 sixty-one of this code for entry level training curricula and
107 for law-enforcement officers who have not received such
108 training as certified by the committee as required by this
109 section; and

110 (2) Establish procedures for the implementation of a
111 course in investigation of human trafficking offenses. The
112 course may include methods of identifying and investigating
113 human trafficking and methods for assisting trafficking
114 victims. In order to implement and carry out the intent of this
115 subdivision, the committee may promulgate emergency rules
116 pursuant to section fifteen, article three, chapter
117 twenty-nine-a of this code.

**§30-29-4. Special revenue account – Collections; disbursements;
administrative expenses.**

1 (a) A \$2 fee shall be added to the usual court costs of all
2 criminal court proceedings involving violation of any
3 criminal law of the state or any county or municipality
4 thereof, excluding violations of municipal parking
5 ordinances, unless such fee is later modified pursuant to
6 legislative rule.

7 (b) A \$2 fee shall be added to the amount of any cash or
8 property bond posted for violation of any criminal law of the
9 state or any county or municipality thereof, excluding bonds

10 posted solely for violation of municipal parking ordinances,
11 unless such fee is later modified pursuant to legislative rule.
12 Upon forfeiture of such bond, the \$2 fee shall be deposited as
13 provided in subsection (c) of this section.

14 (c) All fees collected pursuant to subsections (a) and (b)
15 of this section shall be deposited in a separate account by the
16 collecting agency. Within ten calendar days following the
17 beginning of each calendar month, the collecting agency shall
18 forward the amount deposited to the State Treasurer. The
19 Treasurer shall deposit all fees so received to a special
20 revenue account. Funds in the account shall be disbursed by
21 the subcommittee for the funding of law-enforcement entry
22 level training programs, professional development programs,
23 the certification of law-enforcement officers and to pay
24 expenses of the Governor's Committee on Crime,
25 Delinquency and Correction or the subcommittee in
26 administering the provisions of this article, which expenses
27 may not in any fiscal year exceed fifteen percent of the funds
28 deposited to said special revenue account during that fiscal
29 year.

30 (d) The fees established by this section may be modified
31 by legislative rule as provided in section three of this article.

§30-29-5. Certification requirements and power to decertify or reinstate.

1 (a) Except as provided in subsections (b) and (g) of this
2 section, a person may not be employed as a law-enforcement
3 officer by any West Virginia law-enforcement agency or by
4 any state institution of higher education or by the Public
5 Service Commission of West Virginia on or after the
6 effective date of this article unless the person is certified, or
7 is certifiable in one of the manners specified in subsections
8 (c) through (e), inclusive, of this section, by the
9 subcommittee as having met the minimum entry level

10 law-enforcement qualification and training program
11 requirements promulgated pursuant to this article: *Provided*,
12 That the provisions of this section do not apply to persons
13 hired by the Public Service Commission as motor carrier
14 inspectors and weight enforcement officers before July 1,
15 2007.

16 (b) Except as provided in subsection (g) of this section,
17 a person who is not certified, or certifiable in one of the
18 manners specified in subsections (c) through (e), inclusive, of
19 this section, may be conditionally employed as a
20 law-enforcement officer until certified: *Provided*, That
21 within ninety calendar days of the commencement of
22 employment or the effective date of this article if the person
23 is already employed on the effective date, he or she makes a
24 written application to attend an approved law-enforcement
25 training academy. The person's employer shall provide
26 notice, in writing, of the ninety-day deadline to file a written
27 application to the academy within thirty calendar days of that
28 person's commencement of employment. The employer shall
29 provide full disclosure as to the consequences of failing to
30 file a timely written application. The academy shall notify the
31 applicant in writing of the receipt of the application and of
32 the tentative date of the applicant's enrollment. Any applicant
33 who, as the result of extenuating circumstances acceptable to
34 his or her law-enforcement official, is unable to attend the
35 scheduled training program to which he or she was admitted
36 may reapply and shall be admitted to the next regularly
37 scheduled training program. An applicant who satisfactorily
38 completes the program shall, within thirty days of
39 completion, make written application to the subcommittee
40 requesting certification as having met the minimum entry
41 level law-enforcement qualification and training program
42 requirements. Upon determining that an applicant has met the
43 requirements for certification, the subcommittee shall forward
44 to the applicant documentation of certification. An applicant

45 who fails to complete the training program to which he or she
46 is first admitted, or was admitted upon reapplication, may not
47 be certified by the subcommittee: *Provided, however*, That
48 an applicant who has completed the minimum training
49 required by the subcommittee may be certified as a
50 law-enforcement officer, notwithstanding the applicant's
51 failure to complete additional training hours required in the
52 training program to which he or she originally applied.

53 (c) Any person who is employed as a law-enforcement
54 officer on the effective date of this article and is a graduate of
55 the West Virginia basic police training course, the West
56 Virginia State Police cadet training program, or other
57 approved law-enforcement training academy, is certifiable as
58 having met the minimum entry level law-enforcement
59 training program requirements and is exempt from the
60 requirement of attending a law-enforcement training
61 academy. To receive certification, the person shall make
62 written application within ninety calendar days of the
63 effective date of this article to the subcommittee requesting
64 certification. The subcommittee shall review the applicant's
65 relevant scholastic records and, upon determining that the
66 applicant has met the requirements for certification, shall
67 forward to the applicant documentation of certification.

68 (d) Any person who is employed as a law-enforcement
69 officer on the effective date of this article and is not a
70 graduate of the West Virginia basic police training course,
71 the West Virginia State Police Cadet Training Program or
72 other approved law-enforcement training academy, is
73 certifiable as having met the minimum entry level
74 law-enforcement training program requirements and is
75 exempt from the requirement of attending a law-enforcement
76 training academy if the person has been employed as a
77 law-enforcement officer for a period of not less than five
78 consecutive years immediately preceding the date of

79 application for certification. To receive certification, the
80 person shall make written application within ninety calendar
81 days following the effective date of this article to the
82 subcommittee requesting certification. The application shall
83 include notarized statements as to the applicant's years of
84 employment as a law-enforcement officer. The subcommittee
85 shall review the application and, upon determining that the
86 applicant has met the requirements for certification, shall
87 forward to the applicant documentation of certification.

88 (e) Any person who begins employment on or after the
89 effective date of this article as a law-enforcement officer is
90 certifiable as having met the minimum entry level
91 law-enforcement training program requirements and is
92 exempt from attending a law-enforcement training academy
93 if the person has satisfactorily completed a course of
94 instruction in law enforcement equivalent to or exceeding the
95 minimum applicable law-enforcement training curricula
96 promulgated by the subcommittee. To receive certification,
97 the person shall make written application within ninety
98 calendar days following the commencement of employment
99 to the subcommittee requesting certification. The application
100 shall include a notarized statement of the applicant's
101 satisfactory completion of the course of instruction in law
102 enforcement, a notarized transcript of the applicant's relevant
103 scholastic records and a notarized copy of the curriculum of
104 the completed course of instruction. The subcommittee shall
105 review the application and, if it finds the applicant has met
106 the requirements for certification, shall forward to the
107 applicant documentation of certification. The subcommittee
108 may set the standards for required records to be provided by
109 or on behalf of the applicant officer to verify his or her
110 training, status, or certification as a law-enforcement officer.
111 The subcommittee may allow an applicant officer to
112 participate in the approved equivalent certification program
113 to gain certification as a law-enforcement officer in this state.

114 (f) Except as provided in subdivisions (1) through (3),
115 inclusive, of this subsection, any person who is employed as
116 a law-enforcement officer on or after the effective date of this
117 article and fails to be certified shall be automatically
118 terminated and no further emoluments shall be paid to such
119 officer by his or her employer. Any person terminated shall
120 be entitled to reapply, as a private citizen, to the
121 subcommittee for training and certification, and upon being
122 certified may again be employed as a law-enforcement officer
123 in this state: *Provided*, That if a person is terminated under
124 this subsection because an application was not timely filed to
125 the academy, and the person's employer failed to provide
126 notice or disclosure to that person as set forth in subsection
127 (b) of this section, the employer shall pay the full cost of
128 attending the academy if the person's application to the
129 subcommittee as a private citizen is subsequently approved.

130 (1) Any person who is employed as a law-enforcement
131 officer on or after the effective date of this article and fails to
132 be certified as a result of hardship and/or circumstance
133 beyond his or her control may apply to the director of a
134 training academy for reentry to the next available academy.

135 (2) Any person who is employed as a law-enforcement
136 officer on or after the effective date of this article and fails to
137 be certified as a result of voluntary separation from an
138 academy program shall be automatically terminated and no
139 further emoluments may be paid to such officer by his or her
140 employer. Any person terminated as a result of voluntary
141 separation from an academy program may not be
142 conditionally employed as a law-enforcement officer for a
143 period of two years from the date of voluntary separation.

144 (3) Any person who is employed as a law-enforcement
145 officer on or after the effective date of this article and fails to be
146 certified as a result of dismissal from an academy program shall

147 be automatically terminated and no further emoluments may be
148 paid to such officer by his or her employer. Any person
149 terminated as a result of dismissal from an academy program
150 may not be conditionally employed as a law-enforcement
151 officer for a period of five years from the date of dismissal and
152 receiving approval from the subcommittee.

153 (g) Nothing in this article may be construed as prohibiting
154 any governing body, Civil Service Commission or chief
155 executive of any West Virginia law-enforcement agency from
156 requiring their law-enforcement officers to meet
157 qualifications and satisfactorily complete a course of
158 law-enforcement instruction which exceeds the minimum
159 entry level law-enforcement qualification and training
160 curricula promulgated by the subcommittee.

161 (h) The subcommittee, or its designee, may decertify or
162 reactivate a law-enforcement officer pursuant to the
163 procedure contained in this article and legislative rules
164 promulgated by the subcommittee.

165 (i) Any person aggrieved by a decision of the
166 subcommittee made pursuant to this article may contest the
167 decision in accordance with the provisions of article five,
168 chapter twenty-nine-a of this code.

169 (j) The subcommittee may issue subpoenas for the
170 attendance of witnesses and the production of necessary
171 evidence or documents in any proceeding, review or
172 investigation relating to certification or hearing before the
173 subcommittee.

§30-29-6. Review of certification.

1 Certification of each West Virginia law-enforcement
2 officer shall be reviewed annually following the first

3 certification and until such time as the officer may achieve
4 exempt rank. Certification may be revoked, suspended or not
5 renewed if any law-enforcement officer fails to attend
6 annually an in-service approved law-enforcement training
7 program, or if a law-enforcement officer achieving exempt
8 rank fails to attend biennially an approved in-service
9 supervisory level training program. When a law-enforcement
10 officer is a member of the United States Air Force, Army,
11 Coast Guard, Marines or Navy, or a member of the national
12 guard or reserve military forces of any such armed forces,
13 and has been called to active duty, resulting in separation
14 from a law-enforcement agency for more than twelve months
15 but less than twenty-four months, he or she shall attend and
16 complete the mandated in-service training for the period and
17 rank and qualify with his or her firearm within ninety days
18 from his or her reappointment as a law-enforcement officer
19 by a law-enforcement agency.

§30-29-7. Compliance.

1 The subcommittee and the executive of each West
2 Virginia law-enforcement agency shall ensure employee
3 compliance with this article.

CHAPTER 62. CRIMINAL PROCEDURE.

**ARTICLE 11C. THE WEST VIRGINIA COMMUNITY
CORRECTIONS ACT.**

§62-11C-2. Community Corrections Subcommittee.

1 (a) A Community Corrections Subcommittee of the
2 Governor's Committee on Crime, Delinquency and
3 Correction is continued and continues to be assigned
4 responsibility for screening community corrections programs
5 for approval for funding by the subcommittee and for making

6 disbursement of funds for approved community corrections
7 programs.

8 (b) The subcommittee shall be comprised of the following
9 members:

10 (1) A representative of the Division of Corrections;

11 (2) A representative of the Regional Jail and Correctional
12 Facility Authority;

13 (3) A representative of the Bureau for Behavioral Health
14 and Health Facilities;

15 (4) A person representing the interests of victims of
16 crime;

17 (5) An attorney employed by a public defender
18 corporation;

19 (6) An attorney who is licensed to practice and practicing
20 criminal law in this state;

21 (7) A prosecuting attorney or assistant prosecuting
22 attorney actively engaged as such in this state;

23 (8) A representative of the West Virginia Coalition
24 Against Domestic Violence; and

25 (9) At the discretion of the Supreme Court of Appeals,
26 the Administrator of the Supreme Court of Appeals, a
27 probation officer and a circuit judge may serve on the
28 subcommittee as ex officio, nonvoting members.

29 (c) The subcommittee shall elect a chairperson and a vice
30 chairperson. The subcommittee shall meet quarterly. Special

31 meetings may be held upon the call of the chairperson, vice
32 chairperson or a majority of the members of the
33 subcommittee. A majority of the members of the
34 subcommittee constitutes a quorum.

35 (d) The subcommittee may adopt bylaws, policies and
36 procedures for the operation of the subcommittee.

37 (e) The subcommittee may propose legislative rules for
38 legislative approval pursuant to article three, to chapter
39 twenty-nine-a of this code for policies and procedures
40 consistent with the duties and responsibilities which are or
41 may be assigned to it.

42 (f) Any member appointed to the subcommittee who is a
43 written designated representative has the full rights of a
44 member, including the right to vote, serve on subcommittees
45 or perform any other function.

§62-11C-3. Duties of the subcommittee.

1 (a) The subcommittee shall propose for promulgation in
2 accordance with the provisions of article three, chapter
3 twenty-nine-a of this code legislative rules to:

4 (1) Establish standards for approval of community
5 corrections programs submitted by community criminal
6 justice boards or other entities authorized by the provisions
7 of this article to do so;

8 (2) Establish minimum standards for community
9 corrections programs to be funded, including requiring
10 annual program evaluations;

11 (3) Make any necessary adjustments to the fees
12 established in section four of this article;

13 (4) Establish reporting requirements for community
14 corrections programs; and

15 (5) Carry out the purpose and intent of this article.

16 (b) The subcommittee shall:

17 (1) Maintain records of community corrections programs
18 including the corresponding community criminal justice
19 board or other entity contact information and annual program
20 evaluations, when available;

21 (2) Seek funding for approved community corrections
22 programs from sources other than the fees collected pursuant
23 to section four of this article; and

24 (3) Provide funding for approved community corrections
25 programs, as available.

26 (c) The subcommittee shall submit, on or before
27 September 30 of each year, to the Governor, the Speaker of
28 the House of Delegates, the President of the Senate and, upon
29 request, to any individual member of the Legislature a report
30 on its activities during the previous year and an accounting of
31 funds paid into and disbursed from the special revenue
32 account established pursuant to section four of this article.
33 The subcommittee may make recommendations to the
34 Governor's Committee on Crime, Delinquency and
35 Correction for legislation related to the subcommittee's duties
36 and responsibilities, or for research or studies by the Division
37 of Justice and Community Services on topics related to the
38 subcommittee's duties and responsibilities.

39 (d) The subcommittee shall review the implementation of
40 evidence-based practices and conduct regular assessments for
41 quality assurance of all community-based criminal justice

42 services, including day report centers, probation, parole and
43 home confinement. In consultation with the affected
44 agencies, the subcommittee shall establish a process for
45 reviewing performance. The process shall include review of
46 agency performance measures and identification of new
47 measures by the subcommittee, if necessary, for measuring
48 the implementation of evidence-based practices or for quality
49 assurance. After providing an opportunity for the affected
50 agencies to comment, the subcommittee shall submit, on or
51 before September 30 of each year, to the Governor, the
52 Speaker of the House of Delegates, the President of the
53 Senate and, upon request, to any individual member of the
54 Legislature a report on its activities and results from
55 assessments of performance during the previous year.

§62-11C-4. Special revenue account.

1 (a) There is hereby created in the State Treasury a special
2 revenue account to be known as the West Virginia
3 Community Corrections Fund. Expenditures from the fund
4 are for the purposes set forth in subsection (e) of this section
5 and are not authorized from collections but are to be made
6 only in accordance with appropriation by the Legislature and
7 in accordance with the provisions of article three, chapter
8 twelve of this code and upon the fulfillment of the provisions
9 set forth in article two, chapter five-a of this code. The West
10 Virginia Community Corrections Fund may receive any gifts,
11 grants, contributions or other money from any source which
12 is specifically designated for deposit in the fund.

13 (b) In addition to the fee required in section nine, article
14 twelve of this chapter, a fee not to exceed \$35 per month,
15 unless modified by legislative rule as provided in section
16 three of this article, is also to be collected from those persons
17 on probation. This fee is to be based upon the person's ability
18 to pay. The magistrate or circuit judge shall conduct a hearing

19 prior to imposition of probation and make a determination on
20 the record that the offender is able to pay the fee without
21 undue hardship. The magistrate clerk, deputy magistrate
22 clerk, magistrate assistant, circuit clerk or deputy circuit clerk
23 shall collect all fees imposed pursuant to this subsection and
24 deposit them in a separate account. Within ten calendar days
25 following the beginning of the calendar month, the magistrate
26 clerk or circuit clerk shall forward the amount deposited to
27 the State Treasurer to be credited to the West Virginia
28 Community Corrections Fund.

29 (c) In addition to the fee required in section five, article
30 eleven-b of this chapter, a fee of \$2.50 per day, unless
31 modified by legislative rule as provided in section three of
32 this article, is to be collected from those persons on home
33 incarceration. The circuit judge, magistrate or municipal
34 court judge shall consider the person's ability to pay in
35 determining the imposition of the fee. The circuit clerk,
36 magistrate clerk, municipal court clerk or his or her designee
37 shall collect all fees imposed pursuant to this subsection and
38 deposit them in a separate account. Within ten calendar days
39 following the beginning of the calendar month, the circuit
40 clerk, magistrate clerk or municipal court clerk shall forward
41 the amount deposited to the State Treasurer to be credited to
42 the West Virginia Community Corrections Fund.

43 (d) In addition to the usual court costs in any criminal
44 case taxed against any defendant convicted in a municipal,
45 magistrate or circuit court, excluding municipal parking
46 ordinances, a \$10 fee shall be added, unless the fee is
47 modified by legislative rule as provided in section three of
48 this article. The circuit clerk, magistrate clerk, municipal
49 court clerk or his or her designee shall collect all fees
50 imposed pursuant to this subsection and deposit them in a
51 separate account. Within ten calendar days following the
52 beginning of the calendar month, the circuit clerk, magistrate

53 court clerk and the municipal court clerk shall forward the
54 amount deposited to the State Treasurer to be credited to the
55 West Virginia Community Corrections Fund.

56 (e) The moneys of the West Virginia Community
57 Corrections Fund are to be disbursed by the subcommittee for
58 the funding of community corrections programs and to pay
59 expenses of the subcommittee in administering the provisions
60 of this article, which expenses may not in any fiscal year
61 exceed fifteen percent of the funds deposited to the special
62 revenue account during that fiscal year.

63 (f) Any disbursements from the West Virginia
64 Community Corrections Fund allocated for community
65 corrections programs by the subcommittee may be made
66 contingent upon local appropriations or gifts in money or in
67 kind for the support of the programs. Any county commission
68 of any county or the governing body of a municipality may
69 appropriate and expend money for establishing and
70 maintaining community corrections programs.

§62-11C-6. Community criminal justice boards.

1 (a) Each county or combination of counties or a county
2 or counties and a Class I or II municipality that seek to
3 establish community-based corrections services shall
4 establish a community criminal justice board. Any county
5 which chooses to operate without a community criminal
6 justice board is subject to the regulations and requirements
7 established by the subcommittee.

8 (b) A community criminal justice board shall consist of
9 no more than fifteen voting members.

10 (c) All members of a community criminal justice board
11 shall be residents of the county or counties represented.

12 (d) A community criminal justice board shall consist of
13 the following members:

14 (1) The sheriff or chief of police or, if the board
15 represents more than one county or municipality, at least one
16 sheriff or chief of police from the counties represented;

17 (2) The prosecutor or, if the board represents more than
18 one county, at least one prosecutor from the counties
19 represented;

20 (3) If a public defender corporation exists in the county
21 or counties represented, at least one attorney employed by
22 any public defender corporation existing in the counties
23 represented or, if no public defender office exists, one
24 criminal defense attorney from the counties represented;

25 (4) One member to be appointed by the local board of
26 education or, if the board represents more than one county, at
27 least one member appointed by a board of education of the
28 counties represented;

29 (5) One member with a background in mental health care
30 and services to be appointed by the commission or
31 commissions of the county or counties represented by the
32 board;

33 (6) Two members who can represent organizations or
34 programs advocating for the rights of victims of crimes with
35 preference given to organizations or programs advocating for
36 the rights of victims of the crimes of domestic violence or
37 driving under the influence;

38 (7) One member with a background in substance abuse
39 treatment and services to be appointed by the commission or
40 commissions of the county or counties represented by the
41 board; and

42 (8) Three at-large members to be appointed by the
43 commission or commissions of the county or counties
44 represented by the board.

45 (e) At the discretion of the Supreme Court of Appeals,
46 any or all of the following people may serve on a community
47 criminal justice board as ex officio, nonvoting members:

48 (1) A circuit judge from the county or counties
49 represented;

50 (2) A magistrate from the county or counties represented;
51 or

52 (3) A probation officer from the county or counties
53 represented.

54 (f) Community criminal justice boards may:

55 (1) Provide for the purchase, development and operation
56 of community corrections services;

57 (2) Coordinate with local probation departments in
58 establishing and modifying programs and services for
59 offenders;

60 (3) Evaluate and monitor community corrections
61 programs, services and facilities to determine their impact on
62 offenders; and

63 (4) Develop and apply for approval of community
64 corrections programs by the Governor's Committee on
65 Crime, Delinquency and Correction.

66 (g) If a community criminal justice board represents more
67 than one county, the appointed membership of the board,

68 excluding any ex officio members, shall include an equal
69 number of members from each county, unless the county
70 commission of each county agrees in writing otherwise.

71 (h) If a community criminal justice board represents more
72 than one county, the board shall, in consultation with the
73 county commission of each county represented, designate one
74 county commission as the fiscal agent of the board.

75 (i) Any political subdivision of this state operating a
76 community corrections program shall, regardless of whether
77 or not the program has been approved by the Community
78 Corrections Subcommittee of the Governor's Committee on
79 Crime, Delinquency and Correction, provide to the
80 subcommittee required information regarding the program's
81 operations.

§62-11C-8. Local community criminal justice accounts.

1 (a) The treasurer of the county designated as the fiscal
2 agent for the board pursuant to section six of this article shall
3 establish a separate fund designated the community criminal
4 justice fund. He or she shall deposit all fees remitted by the
5 municipal, magistrate and circuit clerks pursuant to section
6 seven of this article and all funds appropriated by a county
7 commission pursuant to section seven, article eleven-b of this
8 chapter or any other provision of this code and all funds
9 provided by the subcommittee for approved community
10 corrections programs in the community criminal justice fund.
11 Funds in the community criminal justice account are to be
12 expended by order of the designated county's commission
13 upon recommendation of the community criminal justice
14 board in furtherance of the operation of an approved
15 community corrections program.

16 (b) A county commission representing the same county
17 as a community criminal justice board may require the
18 community criminal justice board to render an accounting, at
19 intervals the county commission may designate, of the use of
20 money, property, goods and services made available to the
21 board by the county commission and to make available at
22 quarterly intervals an itemized statement of receipts and
23 disbursements, and its books, records and accounts during the
24 preceding quarter, for audit and examination pursuant to
25 article nine, chapter six of this code.

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

Mark Raymond
.....
Chairman Senate Committee

John B. McCl
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clark B. Brown
.....
Clerk of the Senate

Scott D. Harris
.....
Clerk of the House of Delegates

William J. Holen
.....
President of the Senate

Paul P. Miller
.....
Speaker of the House of Delegates

The within is approved this the 26
Day of March, 2015.

Earl Ray Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 19 2015

Time 11:20am