

HB 2701

FILED

2009 JUN -5 PM 4: 08

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009



**SECOND
ENROLLMENT**

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2701**

(By Delegates Shaver, Argento and Perry)



Amended and again passed May 27, 2009,
as a result of the objections of the Governor

In Effect Ninety Days From Passage

S E C O N D
E N R O L L M E N T

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FOR

H. B. 2701

(BY DELEGATES SHAVER, ARGENTO AND PERRY)

[Amended and again passed May 27, 2009, as a result of the objections of the Governor; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-5-12b, relating to escape by any person from the custody of the Commissioner of Juvenile Services; establishing criminal penalties; providing venue for the proceedings; and allowing for the transfer of jurisdiction back to the original committing court in certain circumstances.

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 §61-5-12b, to read as follows:

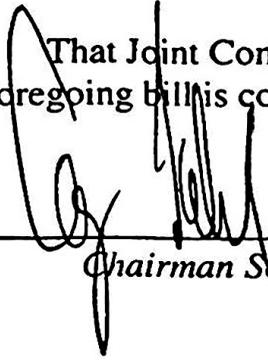
8] :d ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-12b. Escape from custody of the Director of Juvenile Services.

1 (a) Any person who escapes from the custody of the
2 director of Division of Juvenile Services, regardless of where
3 he or she is confined or detained, shall be guilty of a
4 misdemeanor, and upon conviction, shall be confined in jail,
5 or in the case of a person under the age of eighteen, in a
6 juvenile facility, for not more than one year.

7 (b) Venue for the prosecution of a violation of this
8 section shall be in the county in which the escape occurs:
9 *Provided*, That if the person is under the age of eighteen,
10 upon agreement of all parties, the prosecution of the escape
11 may be transferred to the circuit court from which the
12 juvenile was originally committed.

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



Chairman Senate Committee



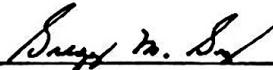
Chairman House Committee

Originating in the House.

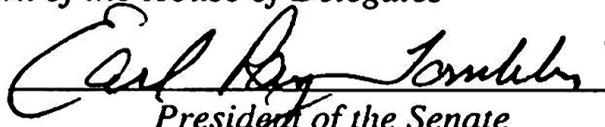
In effect ninety days from passage.



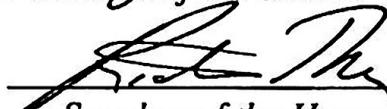
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 5th
day of June, 2009.



Governor

PRESENTED TO THE
GOVERNOR

JUN - 1 2009

Time 10:10am