

HB 2701 (veto)

FILED

2009 MAY -8 PM 3:40

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2009



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 2701

(By Delegates Shaver, Argento and Perry)



Passed April 11, 2009

In Effect Ninety Days from Passage

ENROLLED FILED

2009 MAY -8 PM 3: 40

COMMITTEE SUBSTITUTE

FOR

OFFICE WEST VIRGINIA
SECRETARY OF STATE

H. B. 2701

(BY DELEGATES SHAVER, ARGENTO AND PERRY)

[Passed April 11, 2009; 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 making escape by any person from the custody of the Division of Juvenile Services a misdemeanor; providing for criminal penalties; establishing venue for the proceedings; and allowing for the transfer of jurisdiction back to the original committing court if the person is under eighteen and all parties agree.

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:

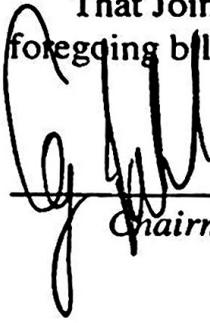
ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

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

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

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

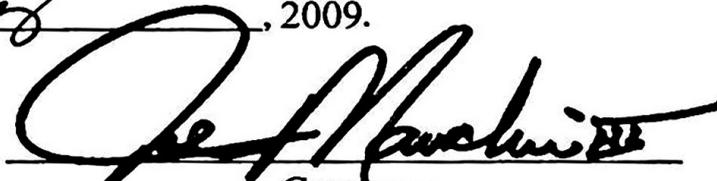


President of the Senate



Speaker of the House of Delegates

The within subscribed this the 5th
day of May, 2009.



Governor

PRESENTED TO THE
GOVERNOR

MAY - 6 2009

Time 3:45 p