

SB 612

FILED

2009 APR 30 PM 4: 09

WEST VIRGINIA LEGISLATURE OFFICE OF THE CLERK OF THE WEST VIRGINIA STATE

SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2009



ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 612

(SENATOR PREZIOSO, UNGER
AND DEEM, *original sponsors*)

[Passed April 8, 2009; in effect ninety days from passage.]

FILED

2009 APR 30 PM 4: 09

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 612

(SENATORS PREZIOSO, UNGER AND DEEM, *original sponsors*)

[Passed April 8, 2009; in effect ninety days from passage.]

AN ACT to amend and reenact §61-5-29 of the Code of West Virginia, 1931, as amended, relating generally to criminal enforcement for willful failure to pay child support.

Be it enacted by the Legislature of West Virginia:

That §61-5-29 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

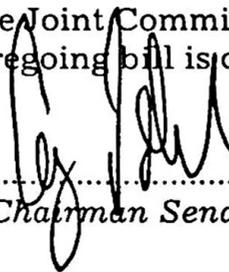
§61-5-29. Failure to meet an obligation to pay support to a minor; penalties.

1 (1) A person who: (a) Repeatedly and willfully fails to
2 pay his or her court-ordered support which he or she can
3 reasonably provide and which he or she knows he or she
4 has a duty to provide to a minor; and (b) is subject to court
5 order to pay any amount for the support of a minor child

6 and is delinquent in meeting the full obligation established
7 by the order and has been delinquent for a period of at
8 least six months' duration is guilty of a misdemeanor and,
9 upon conviction thereof, shall be fined not less than \$100
10 nor more than \$1,000, or confined in jail for not more than
11 one year, or both fined and confined.

12 (2) A person who repeatedly and willfully fails to pay
13 his or her court-ordered support which he or she can
14 reasonably provide and which he or she knows he or she
15 has a duty to provide to a minor by virtue of a court or
16 administrative order and the failure results in twelve
17 months without payment of support that remains unpaid
18 is guilty of a felony and, upon conviction thereof, shall be
19 fined not less than \$100 nor more than \$1,000, or impris-
20 oned for not less than one year nor more than three years,
21 or both fined and imprisoned.

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

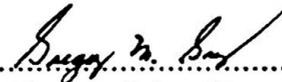

.....
Chairman Senate Committee

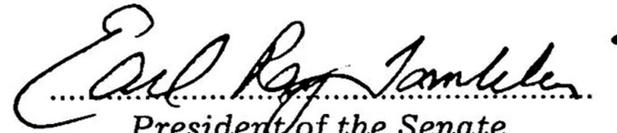

.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within is appended this the 30th
Day of April, 2009.


.....
Governor

PRESENTED TO THE
GOVERNOR

APR 27 2009

Time 2:15 p.m.