

Senate Bill No. 628

(By Senators Plymale, Kessler (Mr. President), Chafin, Jenkins,
Cann, D. Hall, Miller and Cookman)

[Introduced March 25, 2013; referred to the Committee on the
Judiciary; and then to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §62-12-5a, relating
to requiring the Supreme Court of Appeals to establish a
special program for the appointment of additional probation
officers to address truancy.

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 §62-12-5a, to read as
follows:

ARTICLE 12. PROBATION AND PAROLE.**§62-12-5a. Appointment of additional probation officers to address
truancy.**

The Supreme Court of Appeals shall establish a special program

1 for the appointment of additional probation officers to address
2 truancy. The program shall include a procedure for a circuit court
3 judge to apply to the Supreme Court for prior approval to appoint
4 an additional probation officer. If circuit court judges from at
5 least five different counties apply, the Supreme Court shall grant
6 prior approval to appoint an additional probation officer in at
7 least five different counties. If circuit court judges in fewer
8 than five different counties apply, the Supreme Court shall grant
9 prior approval for an additional probation officer in all counties
10 for which an application is submitted. In choosing the counties
11 for which prior approval is granted, the court may consider such
12 factors as the strength of the program in the county to address
13 truancy, the support of the education system and court system
14 within the county for the program, the need for an additional
15 probation officer to address truancy and other factors considered
16 relevant by the court. Pursuant to section five of this article,
17 the costs of the salary of the additional probation officer, his or
18 her reasonable and necessary expenses actually incurred in the line
19 of duty in the field and needed equipment and supplies shall be
20 charged against the judicial accounts of the state.

NOTE: The purpose of this bill is to require the Supreme Court of Appeals to set up a program for the appointment of additional probation officers to address truancy.

This bill is new; therefore, strike-throughs and underscoring have been omitted.