

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2938

2015 Carryover

(BY DELEGATES SOBONYA, MARCUM, REYNOLDS, BYRD,
HICKS AND MILLER)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §51-1-22, relating to requiring the West Virginia Supreme Court of Appeals to
 3 maintain a searchable, criminal database containing copies of all arrests and convictions
 4 by all the courts in the state.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §51-1-22, to read as follows:

ARTICLE 1. SUPREME COURT OF APPEALS.

§51-1-22. Authority to maintain criminal database.

1 (a) The West Virginia Supreme Court of Appeals shall maintain a searchable, criminal
 2 database containing copies of all arrests and convictions by all the courts in the state.

3 (b) The database shall include, but not be limited to, name, date of arrest, offense, plea or
 4 jury trial, sentence, discharge, probation and type of crime.

5 (c) The Division of Corrections, the State Police, the county sheriffs, municipal police
 6 departments, regional jails, circuit clerks and judges and magistrates shall assist and cooperate
 7 with the Supreme Court in any manner the court considers necessary.

8 (d) The database may be accessed and used by any law- enforcement agency in the state.

9 (e) The database shall be implemented by October 1, 2017.

NOTE: The purpose of this bill is to require the West Virginia Supreme Court of Appeals to maintain a searchable, criminal database containing copies of all arrests and convictions by all the courts in the state.

This section is new; therefore, it has been completely underscored.