

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **Senate Bill 417**

BY SENATORS TARR, AZINGER, CLEMENTS, CLINE,  
MAYNARD, ROBERTS, SMITH, SYPOLT, BOSO, AND  
MARONEY

[Introduced January 24, 2019; Referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §49-4-703a, relating to requiring minors in possession of marijuana, and their  
 3 parents or legal guardians, to attend classes teaching the dangers of marijuana; fees  
 4 charged; and procedure for failure to attend.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 4. COURT ACTIONS.**

**§49-4-703a. Minor in possession of marihuana; class attendance required of minor and parent or guardian in classes; Division of Health and Human Resources to promulgate rules.**

1 (a) If a minor is found in possession of marihuana or a marihuana related product, the  
 2 juvenile drug court shall require the minor and the parents, or legal guardian, to attend a class  
 3 instructing the dangers to one’s health from marihuana use, ecological damage, and the crime  
 4 directly and indirectly associated with marihuana production and trafficking. The course of  
 5 instruction may be through live classes and multimedia.

6 (b) Classes shall be scheduled with at least 10 minor participants in each class. The  
 7 Division of Health and Human Resources shall propose rules for legislative approval in  
 8 accordance with §29A-3-1 et seq. of this code relating to class frequency, location, and fees that  
 9 may be charged for the classes. Fees shall be determined according to the cost of providing the  
 10 class plus 10 percent divided by the number of participants to fill the class. All fees shall be  
 11 deposited in the state’s general fund. Appropriations for this program shall be made from the  
 12 general revenue fund.

13 (c) Any person required to participant in this class who fails to appear for the class may  
 14 be subjected to court proceedings under the juvenile jurisdiction of this article.

NOTE: The purpose of this bill is to require minors in possession of marihuana, and their parents or legal guardians, to attend classes teaching the dangers of marihuana.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.