



**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR

**H. B. 1220**

(By MR. ALBRIGHT)

[Passed February 25, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article six, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to requiring post judgment process, in a case before a magistrate in which a suggestion of salary and wages is instituted and such suggestion is more appropriately conducted in another county, to be delivered to the sheriff of that county with return to the issuing clerk.

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

That section one, article six, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 6. ENFORCEMENT OF CIVIL JUDGMENTS.**

**§50-6-1. Enforcement of judgments.**

1 (a) The provisions of articles three, four, five, five-a,  
2 five-b and six, chapter thirty-eight of this code, except as  
3 the same are in conflict with the provisions of this chapter  
4 or are clearly applicable only to courts of record, shall apply  
5 to the enforcement of judgments rendered in magistrate court  
6 and process therefor shall issue from magistrate court. Process

7 issued in violation of such provisions shall be void. The form  
8 of such process shall be in accord with the rules of the  
9 supreme court of appeals. No such process shall issue until  
10 after ten days after the judgment is rendered or, if a motion  
11 to set aside such judgment is then pending, until after ten  
12 days after the determination of such motion.

13 (b) A magistrate court clerk, deputy clerk or magistrate  
14 assistant before whom a suggestion of salary and wages is  
15 instituted pursuant to the provisions of articles five-a and  
16 five-b, chapter thirty-eight of this code shall forward all post  
17 judgment process directly to the sheriff of any county in  
18 the same manner and with the same authority as has been  
19 given to circuit clerks, pursuant to section five, article three,  
20 chapter fifty-six.

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

*R. F. Bayler*  
Chairman Senate Committee

*Gary E. Whitlow*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Jedd C. White*  
Clerk of the Senate

*C. G. Blankenship*  
Clerk of the House of Delegates  
*Warren R. McBrat*  
President of the Senate

*Wm. M. See, Jr.*  
Speaker House of Delegates

The within *is approved* this the *2*  
day of *March*, 1982.

*John R. Sawyer*  
Governor

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SECY. OF STATE