

SB 374

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999



ENROLLED

SENATE BILL NO. 374

(By Senator CRAIG)



PASSED MARCH 10, 1999

In Effect NINETY DAYS FROM Passage

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SECRETARY

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Senate Bill No. 374

(BY SENATOR CRAIGO)

[Passed March 10, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article three, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying that in each criminal case in a magistrate court in which a defendant is convicted, costs are to be assessed by the magistrate.

Be it enacted by the Legislature of West Virginia:

That section two, article three, 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 3. COSTS, FINES AND RECORDS.

§50-3-2. Costs in criminal proceedings.

- 1 (a) In each criminal case before a magistrate court in
- 2 which the defendant is convicted, whether by plea or at
- 3 trial, there shall be imposed, in addition to other costs,
- 4 fines, forfeitures or penalties as may be allowed by law,
- 5 costs in the amount of fifty-five dollars. A magistrate
- 6 shall not collect costs in advance. A magistrate court shall
- 7 deposit five dollars from each of the criminal proceedings

8 fees collected pursuant to this section in the court security
9 fund created in section fourteen, article three, chapter
10 fifty-one of this code.

11 (b) A magistrate shall assess costs in the amount of two
12 dollars and fifty cents for issuing a sheep warrant and the
13 appointment and swearing appraisers and docketing the
14 proceedings.

15 (c) In each criminal case which must be tried by the
16 circuit court but in which a magistrate renders some
17 service, costs in the amount of ten dollars shall be imposed
18 by the magistrate court and shall be certified to the clerk
19 of the circuit court in accordance with the provisions of
20 section six, article five, chapter sixty-two of this code.

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

[Signature]
.....

Chairman Senate Committee

[Signature]
.....

Chairman House Committee

Originating in the Senate.

In effect ninety days from passage.

[Signature]
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Clerk of the Senate

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Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
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Speaker House of Delegates

The within..... *approved* this the *24th*
Day of *March*, 1999

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date. 3/18/99

Time 11:05