

SB 267

FILED

2002 APR -3 P 7:01

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2002

ENROLLED

SENATE BILL NO. 267

(By Senators Mitchell and Kessler)

PASSED March 9, 2002

In Effect ninety days from Passage

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Senate Bill No. 267

(BY SENATORS MITCHELL AND KESSLER)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article four, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to allowing county prosecuting attorneys' investigators to hold other employment with the permission of the county prosecuting attorney and county commission.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. PROSECUTING ATTORNEY, REWARDS AND LEGAL ADVICE.

§7-4-2. Rewards for apprehension of persons charged with crime and expenditure of money for detection of crime; appointment of investigators of crime.

- 1 The prosecuting attorney of any county, with the ap-
- 2 proval of the county commission, or of the governor, or of

3 the court of the county vested with authority to try
4 criminal offenses, or of the judge thereof in vacation, may,
5 within his discretion, offer rewards for the apprehension
6 of persons charged with crime, or may expend money for
7 the detection of crime. Any money expended under this
8 section shall, when approved by the prosecuting attorney,
9 be paid out of the county fund in the same manner as other
10 county expenses are paid: *Provided*, That the prosecuting
11 attorneys of the several counties of the state may, with the
12 approval of the county commissions of their respective
13 counties, entered of record, appoint to assist them in the
14 discharge of their official duties trained and qualified full-
15 time or part-time investigators of crime. Such full-time
16 investigators shall accept no other public employment or
17 employment in a private police or investigative capacity
18 during the term of their appointment without prior
19 approval of the county commission and county prosecuting
20 attorney and shall be paid such salary and expenses as
21 may be fixed by the county commission. Such expenses
22 shall be itemized and sworn to by the investigator upon
23 presentation to the county commission.

24 Notwithstanding any other provision of this code to the
25 contrary, the prosecuting attorney of any county, with the
26 consent of the judge of the court of competent jurisdiction
27 and the county commission, may appoint an investigator
28 of crime who need not be a resident of this state.

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

Lucy P. Burns
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Dorrell Elphus
.....
Clerk of the Senate

Bugs M. Boy
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *3rd*
Day of *April*, 2002.

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/02

Time 3:10 pm