WEST VIRGINIA CODE: §17B-7-9

§17B-7-9. Deposit of funds into account; disbursement of funds from account.

(a) The director shall deposit all money received from participants pursuant to a consolidated repayment schedule into the Second Chance Driver's License Program Account. The director shall prorate, separate, and identify the portion of each payment that constitutes payment of a fine, forfeiture, penalty, or an amount due as restitution to a crime victim or costs to be credited to the Crime Victims Compensation Fund pursuant to §62-5-10 of this code in accordance with the information provided to the director pursuant to §17B-7-5(c) of this code.

(b) After deposit of a participant's monthly payment into this account, the director shall make disbursements from this account as follows:

(1) Portions of payments identified as payment of a fine, forfeiture, penalty, or an amount due as restitution to a crime victim or costs to be credited to the Crime Victims Compensation Fund pursuant to §62-5-10 of this code shall be disbursed to the courts identified in the repayment schedule or as applicable to the Crime Victims Compensation Fund pursuant to §62-5-10 of this code;

(2) The director shall disburse 95 percent of the portions of the payments remaining after payment as required in subdivision (1) of this subsection to the courts identified in the participant's consolidated repayment schedule. Courts shall accept and document these payments of 95 percent of the total unpaid court costs, not including court costs received pursuant to subdivision (1) of this subsection, as payment in full of the amount owed by the participant to the court for this portion of court costs owed; and

(3) The portion of the payments remaining in the account after payment of the court costs in subdivisions (1) and (2) of this subsection may be appropriated by the Legislature to be expended for costs incurred by the director in the administration of this article.

(c) Courts that receive disbursements pursuant to subsection (b) of this section are responsible for making statutory disbursements of amounts received in satisfaction of unpaid court costs according to the requirements of the code.

WV Legislature