

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 302

(By Mr. Conrad Helms)

PASSED March 8 1957

In Effect 90 days from Passage



ENROLLED

Senate Bill No. 302

(Originating in the Committee on the Judiciary)

[Passed March 8, 1957; in effect ninety days from passage.]

AN ACT to amend article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-three, relating to the offense of soliciting of advertising any debt pooling or similar plan or charging therefor any fee in excess of two per centum of money collected pursuant to such plan and prescribing penalties for the commission of such offense.

Be it enacted by the Legislature of West Virginia:

That article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

Section 23. *Debt Pooling.*—It shall be unlawful for any
2 person, firm, corporation or voluntary association to so-
3 licit in any manner the rendering of advice and services
4 of any and every kind whatsoever to a debtor in connec-
5 tion with a debt pooling plan or other similar plan pur-
6 suant to which the debtor deposits funds for the purpose
7 of distributing such funds among his creditors. It shall
8 further be unlawful for any person, except licensed at-
9 torneys, firm, corporation or voluntary association ren-
10 dering such advice and services in a lawful manner to
11 make any charge therefor, by way of fee, reimbursement
12 of costs or otherwise, in excess of an amount equal to two
13 per centum of the total amount of money collected pur-
14 suant to such plan. Any person, whether acting as agent
15 or otherwise, violating any provision of this section shall
16 be guilty of a misdemeanor, and, upon conviction, shall
17 be fined not less than one hundred dollars nor more than
18 two hundred fifty dollars, or confined in jail for not less
19 than thirty days nor more than sixty days, or both.
20 Justices of the peace shall have concurrent jurisdiction
21 of offenses under this section with other competent courts.

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

E. H. McCourt
Chairman Senate Committee

W. C. Cretton
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Stewart Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Philip J. Burn
President of the Senate

W. C. Cretton
Speaker House of Delegates

The within approved this the 15th
day of March, 1957.

Jeff. Henderson
Governor



Filed in the Office of the Secretary of State

of West Virginia. **MAR 15 1957**

D. PITT O'BRIEN
SECRETARY OF STATE