WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED
COMMITTEE SUBSTITUTE FOR
HOUSE BILL No. 674
ORIGINATING IN THE COMMITTEE ON POLITICAL SUBDIVISIONS
(By Mr.______________________________)

PASSED MARCH 13, 1971
In Effect JULY 1, 1971
Passage
AN ACT to repeal sections four, five-(one) through five-(fifty-four), article one and section nineteen, article five, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to repeal sections five, five-(one) through five-(fifty-five) and ten, article two, chapter eleven of said code; to amend and reenact sections one and five, article one, chapter seven of said code; to amend and reenact article seven, chapter seven of said code; and to amend and reenact section two, article two, chapter eleven of said code, all relating generally to county government, county courts and officers and their
deputies, assistants and employees; relating to the composition, powers and duties of county courts; setting forth legislative findings and a declaration of policy; establishing county in-service training programs; requiring participation in such programs as additional duties of county officials; classifying counties on the basis of assessed valuations for the purpose of determining compensation of elected county officials; establishing minimum and maximum compensation limits for elected county officials; relating to the compensation of county commissioners and the compensation of other elected county officials, county deputies, assistants and employees; prohibiting outside employment of certain elected officials; providing percentage limitations with respect to compensation in excess of minimum; relating to the county budget; relating to assistant prosecuting attorneys, and their appointment and compensation; relating to the appointment of an attorney to prosecute cases; relating to the procedure for the payment of compensation of county officials, deputies, assistants and employees; relating to affidavits as to compensation; relating to illegal orders
for compensation; providing prohibitions; relating to the allowance for the expenses of sheriffs and prosecuting attorneys; relating to the training of sheriffs and their deputies; relating to the payment of training expenses by the county court; relating to the mileage allowance for county officials and their deputies, assistants and employees and reports in connection therewith; relating to annual reports by county officers; relating to the source of compensation paid judges of courts of limited jurisdiction; providing criminal penalties; providing a severability clause; and relating to the deputies, assistants and employees of assessors.

Be it enacted by the Legislature of West Virginia:

That sections four, five-(one) through five-(fifty-four), article one, and section nineteen, article five, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that sections five, five-(one) through five-(fifty-five) and ten, article two, chapter eleven of said code be repealed; that sections one and five, article one, chapter seven of said code be amended and reenacted; that article seven, chapter seven of said code be amended and re-
enacted; and that section two, article two, chapter eleven of said code be amended and reenacted, all to read as follows:

CHAPTER 7. COUNTY COURTS AND OFFICERS.

ARTICLE 1. COUNTY COURTS GENERALLY.

§7-1-1. County courts corporations; how constituted; election of president.

1 The county court or tribunal in lieu thereof of every county within the state of West Virginia shall be a corporation by the name of "The county court of __________ county", by which name it may sue and be sued, plead and be impleaded, and contract and be contracted with.

2 Every county court shall consist of three commissioners as provided in section twenty-two, article eight of the constitution of the state of West Virginia, any two of whom shall constitute a quorum for the transaction of business, except in the case of any county which, in accordance with section twenty-nine, article eight of the constitution of the state of West Virginia or any earlier counterpart thereof, has applied to the Legislature of West Virginia for it to reform, alter or modify its county court and the Legislature by its act, in accordance therewith, and
with the assent of the voters of the county voting at an election, has effected the requested reformation, alteration or modification, in which case the provisions of the act of the Legislature creating a tribunal in lieu of the county court shall apply concerning the number of county court commissioners and the number of commissioners required to constitute a quorum. Each county court shall annually, at its first session in each year, or as soon thereafter as practicable, elect one of its commissioners as president of the county court.

Throughout this chapter the term "county court" or any reference to a county court shall include all tribunals created in lieu of the county court.

§7-1-5. Powers and duties of county commissioners.

The county commissioners of each county shall exercise the following powers and perform the following duties for their respective counties:

(1) At least quarterly visit and inspect institutions within their county for housing and caring for the poor and investigate the conditions of the poor within their county and not housed within such institutions.
(2) Arrange for the feeding and care of county jail prisoners and at least quarterly inspect the jails.

(3) At least quarterly visit and inspect detention homes for children within their county.

(4) Visit and inspect bridges and bridge approaches under their control.

(5) Provide for and have general supervision over the repair and maintenance of the county courthouse, jails, houses for the poor and any other county property and prevent their deterioration.

(6) Supervise and control the purchase, erection, maintenance and operation of any airport owned by the county or operated by the county court.

(7) Supervise and control the purchase of furniture, fixtures, equipment and supplies for their county.

(8) Attend the annual meeting of county assessors, and any other meetings called by the state tax commissioner on matters pertaining to the work of the county assessors and the county courts acting as boards of review and equalization; review and equalize the assessments made by the assessors, inspect and review the lists
of property, both real and personal, made up by the assessor and his deputies for taxable purposes, and point out to the assessor any property, real and personal, which the county assessors may have overlooked or omitted to place on the tax lists; and call to the attention of the assessor all real estate and personal property belonging to churches, lodges, schools or other charitable institutions which may have been overlooked or omitted by the assessor or his deputies in making up his lists of property for entry on the land and personal property books.

(9) Purchase, lease, rent, control, supervise, inspect, maintain and erect public parks, playgrounds and recreational facilities and purchase, lease or rent equipment therefor; and employ qualified recreational directors and personnel to operate those parks, playgrounds and recreational facilities.

(10) Construct and operate Four-H camps on county property.

(11) Operate stone quarries and sand deposits on property owned or leased by the county.
(12) Construct or aid in constructing or equipping civilian defense buildings on sites approved by the department of civil and defense mobilization.

(13) Operate dog pounds for the county and the municipalities of such county.

(14) Purchase, lease, rent, control, supervise, inspect, maintain and erect public markets; purchase, rent or lease equipment therefor; and employ qualified personnel to operate those public markets.

(15) Purchase, lease, rent, control, supervise, inspect, maintain and erect county mental and physical health clinics and engage in any program designed for the betterment of the mental and physical well-being of the residents of their county and to cooperate with any public or private agency for these purposes.

(16) Construct fallout shelters and aid individuals, by furnishing to them available information, to construct fallout shelters.

(17) Survey all abandoned and dilapidated buildings or structures within the county and prepare an inventory thereof which inventory shall be made available to any
agency of the state or federal government or to local governmental agencies upon request.

(18) Establish and participate in regional councils.

(19) Supervise and manage county fiscal affairs and business.

In addition to exercising the powers and performing the duties aforementioned, the county commissioners of each county may exercise any other powers and may perform any other duties that are reasonably and necessarily implied in the full and proper exercise of the powers and duties conferred upon county commissioners and county courts by the constitution of the state of West Virginia and by general law.

ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS: COUNTY ASSISTANTS, DEPUTIES AND EMPLOYEES, THEIR NUMBER AND COMPENSATION.

§7-7-1. Legislative findings and declaration of policy.

1 The Legislature hereby finds and declares (1) that the ever increasing demands upon the counties for additional and improved services and the rapid changes in the science of government and technological changes make it necessary to provide training programs for
enr. com. sub. for h. b. no. 674] 10

6 elected county officials and their assistants and em-
7 ployees; (2) that such training programs will do much
8 to improve the processes of local government; (3) that
9 the present system of providing compensation for these
10 offices is antiquated and not conducive to attracting and
11 holding the best qualified people in government service;
12 and (4) that it is in the interest of the public to adopt the
13 provisions as hereinafter set forth for the effective oper-
14 ation of county government.

§7-7-2. Establishment of county in-service training programs;

further additional duties for prosecuting attorney

in any county in excess of two hundred thousand.

1 There is hereby established county in-service training
2 programs as hereinafter set forth.

3 The attorney general is hereby authorized and directed
4 to establish such in-service training programs as in his
5 opinion will do most to assist the prosecuting attorneys
6 in the performance of their duties. The attorney gen-
7 eral is authorized to accept any federal aid which may
8 be made available or any financial assistance which may
9 be available from any private nonprofit organization
10 for the purposes of this section. The prosecuting attorney
in any county having a population in excess of two hundred thousand shall also discharge the additional duties imposed upon him by the provisions of section thirteen-a, article five, chapter forty-nine of this code.

The state tax commissioner is hereby authorized and directed to establish such in-service training programs for county commissioners, county clerks, circuit clerks, assessors, sheriffs and their assistants and employees as in his opinion will do most to modernize and improve the services of their respective offices. The state tax commissioner is authorized to accept any federal aid which may be made available or any financial assistance which may be available from any private nonprofit organization for the purpose of this article.

Each of the county officials mentioned in this section, and, at his option, one or more of his assistants, deputies and employees, shall participate in the programs established under this section.

The county court is authorized and directed to expend funds for the purpose of reimbursing such officials and/or employees for the actual amount expended by them for

food, lodging and registration while in attendance at
meetings called by the attorney general or the tax com-
missioner for the purpose of this section, not to exceed
thirty-five dollars per day, with mileage not to exceed
the rate of ten cents per mile to be computed according
to the distance by the nearest practicable route for travel
to and from such meetings.

§7-7-3. Classification of counties for purpose of determining
compensation of elected county officials.

For the purpose of determining the compensation of
elected county officials, the counties of the state of West
Virginia are hereby grouped into seven classes based
on their assessed valuation of property, all classes. These
seven classes and the minimum and maximum valu-
ation of property, all classes, established to determine
the classification of each county are as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Minimum Assessed Valuation of Property, All Classes</th>
<th>Maximum Assessed Valuation of Property, All Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>$450,000,000</td>
<td>No limit</td>
</tr>
<tr>
<td>Class II</td>
<td>$200,000,000</td>
<td>$449,999,999</td>
</tr>
</tbody>
</table>
The assessed valuation of property, all classes, that shall be used as the base to determine the class of a county shall be the assessed valuation of property, all classes, of the county as certified by the county assessor, state auditor and county clerk prior to March twenty-ninth of each year.

Prior to March twenty-ninth of each year, the county court of each county shall determine the class of the county based upon the assessed valuation of property, all classes, of the county, as certified by the county assessor, state auditor and county clerk in accordance with the table of classes hereinabove set forth. If the county court determines that such assessed valuation is within the minimum and maximum limits of a class above or below those of the classification then current, it shall record the new classification of the county with the state auditor and
34 state tax commissioner and record its action on its county
35 court record. If a county court fails to record a new classi-
36 fication or fails to determine a new classification, the
37 classification of the county for the current fiscal year shall
38 be and remain its classification for the next fiscal year
39 following except as provided in the next succeeding
40 paragraph.
41 The classification of each county for the next fiscal
42 year shall be subject to review by the state tax com-
43 missioner. He shall determine if the classification of each
44 county is correct based on the final assessed valuation of
45 property, all classes, certified to him by the county as-
46 sessor, state auditor and county clerk. If the state tax
47 commissioner finds that a county is incorrectly classified
48 he shall notify the county court of that county promptly
49 of his finding and in any case shall notify the county court
50 prior to June thirtieth of that current fiscal year. Any
51 county court so notified shall correct its classification im-
52 mediately and make any necessary corrections in the sal-
53 aries of its elected county officials for the next fiscal year.
54 Notwithstanding any other provision of this chapter,
§ 7-7-4. Minimum and maximum compensation limits of elected county officials for each class of county.

For the purpose of determining the compensation to be paid to the elected county officials of each county, the following minimum and maximum compensation limits for each county office by class are hereby established and shall be used by each county court in determining the compensation of each of their county officials including compensation of members of the county court:

<table>
<thead>
<tr>
<th>Class</th>
<th>County Court</th>
<th>Sheriff</th>
<th>Clerk</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>$9,600–12,800</td>
<td>$9,000–12,000</td>
<td>$13,800–18,400</td>
</tr>
<tr>
<td>II</td>
<td>$6,000–9,000</td>
<td>$7,800–11,700</td>
<td>$10,000–15,000</td>
</tr>
<tr>
<td>III</td>
<td>$4,400–6,600</td>
<td>$7,800–11,700</td>
<td>$8,000–12,000</td>
</tr>
<tr>
<td>IV</td>
<td>$2,800–4,200</td>
<td>$6,600–9,900</td>
<td>$6,000–9,000</td>
</tr>
</tbody>
</table>
15 Class V $1,600-2,400 $4,800-7,200 $4,800-7,200
16 Class VI $1,400-2,100 $4,400-6,600 $4,400-6,600
17 Class VII $600-900 $3,600-5,400 $2,400-3,600

18 Circuit
19 Clerk
20 Assessor
21 Prosecuting

22 Class I $13,800-18,400 $9,000-15,000 $20,000-26,000
23 Class II $10,000-15,000 $9,000-13,500 $12,000-18,000
24 Class III $8,000-12,000 $7,800-11,700 $9,000-13,500
25 Class IV $6,000-9,000 $6,600-9,900 $7,200-9,600
26 Class V $4,800-7,200 $4,800-7,200 $4,800-7,200
27 Class VI $4,400-6,600 $4,400-6,600 $4,400-6,600
28 Class VII $1,800-2,700 $3,000-4,500 $1,800-2,700

27 When the classification of a county is changed as pro-
vided in this article, the compensation of each elected
28 county official of that county for each fiscal year there-
29 after shall be set within the minimum and maximum
30 compensation limits established for each elected county
31 official in that class until the classification again changes.

§7-7-5. Compensation of county commissioners.
1 (a) Every county commissioner who attends any ses-
2 sion of the county court on which he serves shall receive
two dollars per day for every day he attends, which shall be paid out of the county treasury, as provided for in section twenty-three, article eight of the constitution of the state of West Virginia.

(b) In addition to the payment for services in court as described in subsection (a) of this section, all county commissioners shall be paid compensation out of the county treasury for performing the duties specified in this chapter and elsewhere in the code. The compensation shall be determined by each county court for its own members. The compensation of a county court member shall never be fixed in an amount less than the minimum limit or more than the maximum limit in effect for the class in which that county is for that fiscal year. The compensation shall be reasonable and proper, and due consideration shall be given to the duties, responsibilities and the work required of the individual members of each county court: Provided, however, That as to any county having a tribunal in lieu of a county court, the county commissioners of such county may be paid
less than the minimum compensation limits of the county

court for the particular class of such county.

(c) Compensation for all county court members shall
be fixed by order of the County Court before March
twenty-ninth of each year and shall take effect on the
first day of July following and shall be in effect through-
out that fiscal year. Each county court shall enter its
order upon its county court record.

(d) The compensation of all members of each county
court under subsection (b) of this section shall be the
same for any given fiscal year regardless of any given
member’s tenure or term of office.

§7-7-6. Compensation of all elected county officials except
county commissioners.

1 The county court of each county shall determine the
2 compensation to be paid to the county clerk, circuit clerk,
3 joint clerk of the county and circuit court, if any, sheriff,
4 county assessor and prosecuting attorney for its county.
5 The compensation of an elected county official shall never
6 be fixed in an amount less than the minimum limit or
7 more than the maximum limit in effect for the class
in which that county is for the fiscal year involved. The compensation shall be reasonable and proper and due consideration shall be given to the duties, responsibilities and the work required of these elected county officials.

Provided, That any county clerk, circuit clerk, joint clerk of the county and circuit court, if any, county assessor, sheriff and prosecuting attorney in a Class I county shall devote full time to his public duties to the exclusion of any other employment, and any county clerk, circuit clerk, joint clerk of the county and circuit court, if any, county assessor, sheriff and prosecuting attorney in a Class II county receiving at least eighty percent of the maximum compensation shall devote full time to his public duties to the exclusion of any other employment.

If a county court for any fiscal year fixes the compensation of its members or of any other elected official of such county in any amount in excess of the minimum compensation limit in effect for such county court or such other elected official for the class in which the county is for that fiscal year, then such county court shall fix the
compensation of all other elected officials in that county for such fiscal year so that the compensation of such officials will be the same percentage above the minimum as the compensation of the members of such county court or such other official is above the minimum:

Provided, however, That in the case of a county that has a joint clerk of the county and circuit court, the compensation of the joint clerk shall be fixed in an amount not more than fifty percent higher than the compensation that would be fixed for the county clerk of the county if it had separate offices of county clerk and circuit clerk.

Compensation for the county clerk, circuit clerk, joint clerk of the county and circuit court, if any, sheriff, county assessor and prosecuting attorney shall be fixed by order of the county court before March twenty-ninth of each year and shall take effect on the first day of July following and shall remain in effect throughout that fiscal year.

Each county court shall enter its order upon its county court record.

§7-7-7. County assistants, deputies and employees; their number and compensation; county budget.

1 The county clerk, circuit clerk, joint clerk of the county and circuit court, if any, sheriff, county assessor and
prosecuting attorney, by and with the advice and consent
of the county court, may appoint and employ to assist
them in the discharge of their official duties for and dur-
ing their respective terms of office assistants, deputies
and employees.

The county clerk, circuit clerk, joint clerk of the coun-
ty and circuit court, if any, sheriff, county assessor and
prosecuting attorney shall, prior to March second of each
year, file with the county court a detailed request for
appropriations for anticipated or expected expenditures
for their respective offices, including the compensation
for their assistants, deputies and employees, for the
ensuing fiscal year.

The county court shall, prior to March twenty-ninth of
each year by order fix the total amount of money
to be expended by the county for the ensuing fiscal
year, which amount shall include the compensation
of county assistants, deputies and employees. Each
county court shall enter its order upon its county court
record.

The county clerk, circuit clerk, joint clerk of the county
and circuit court, if any, sheriff, county assessor and prosecuting attorney shall then fix the compensation of their assistants, deputies and employees based on the total amount of money designated for expenditure by their respective offices by the county court, and the amount so expended shall not exceed the total expenditure designated by the county court for each office.

The county officials, in fixing the individual compensation of their assistants, deputies and employees, and the county court in fixing the total amount of money to be expended by the county, shall give due consideration to the duties, responsibilities and work required of the assistants, deputies and employees and their compensation shall be reasonable and proper.

After the county court has fixed the total amount of money to be expended by the county for the ensuing fiscal year and after each county official has fixed the compensation of each of his assistants, deputies and employees, as provided in this section, each county official shall file prior to June thirtieth, with the clerk of the county court a budget statement for the ensuing fiscal
year setting forth the name, or the position designation
if then vacant, of each of his assistants, deputies and
employees, the period of time for which each is em-
ployed, or to be employed if the position is then vacant,
and his monthly or semimonthly compensation.

All budget statements required to be filed by this sec-
tion shall be verified by an affidavit by the county offi-
cial making them. Among other things contained in
the affidavit shall be the statement that the amounts
shown therein are the amounts actually paid or intended
to be paid to the assistants, deputies and employees
without rebate, and without any agreement, understand-
ing or expectation that any part thereof shall be repaid to
him, and that, prior to the time the affidavit is made, noth-
ing has been paid or promised him on that account, and
that if he shall thereafter receive any money, or thing of
value, on account thereof, he will account for and pay
the same to the county. Until the statements required
by this section have been filed, no allowance or payments
shall be made to any county official or their assistants,
deputies and employees.
Each county official named in this section shall have the authority to discharge any of his assistants, deputies or employees by filing with the clerk of the county court a discharge statement specifying the discharge action.

§7-7-8. Assistant prosecuting attorneys; appointment and compensation; when court may appoint attorney to prosecute.

The prosecuting attorney of each county may, in accordance with and limited by the provisions of section seven of this article, appoint practicing attorneys to assist him in the discharge of his official duties during his term of office. Any attorney so appointed shall be classified as an assistant prosecuting attorney and shall take the same oath and may perform the same duties as his principal. Each assistant shall serve at the will and pleasure of his principal and may be removed from office by the circuit court of the county in which he is appointed for any cause for which his principal might be removed.

If, in any case, the prosecuting attorney and his assistants are unable to act, or if in the opinion of the court it would be improper for him or his assistants
to act, the court shall appoint some competent practicing
attorney to act in that case. The court shall certify
to the county court the performance of that service when
completed and recommend to the county court a reason-
able compensation for the attorney for his service, and
the compensation, when allowed by the county court,
shall be paid out of the county treasury. No provision
of this section shall be construed to prohibit the employ-
ment by any person of a practicing attorney to assist in
the prosecution of any person or corporation charged
with a crime.

The compensation to be paid to an assistant prosecut-
ing attorney shall include compensation provided by law
for any services he renders as attorney for any adminis-
trative board or officer of his county. No assistant prose-
cuting attorney shall serve as attorney for any other
political subdivision of this state.

§7-7-9. Procedure for payment of compensation.

1 The compensation of the county clerk, circuit clerk,
2 joint clerk of the county and circuit court, if any, sheriff,
3 county assessor, prosecuting attorney, and their assistants,
4 deputies and employees shall be paid monthly or semi-
5 monthly by the county court, which compensation shall be
6 paid out of the county treasury in the manner prescribed
7 by law.

8 The county court, after the filing of the budget state-
9 ment specified in section seven of this article, may, by
10 order of record, authorize and order a draft on the county
11 treasurer, payable out of the general county fund, to be
12 drawn in favor of the county official, assistant, deputy
13 or employee named in this statement, in payment of the
14 compensation to which the person is entitled.
15 The draft shall not be issued to the county official,
16 assistant, deputy or employee until the proper county
17 official has filed a detailed monthly or semimonthly state-
18 ment with the county treasurer and has filed with the
19 county clerk a duplicate copy of the monthly or semi-
20 monthly statement, together with a receipt from the
21 county treasurer, showing that the person to be paid
22 has paid into the county treasury all moneys belonging
23 to the county that have been collected by him during
that pay period as shown by the monthly or semimonthly statement.

When the order for the draft has been entered of record, the president and clerk of the county court shall be authorized to issue and approve by their signature the draft.

§7-7-10. Affidavits acknowledging receipt of compensation.

1 At the end of each fiscal year, each county official, assistant, deputy and employee shall sign and submit to the clerk of the county court an affidavit which shall be in the following form:

No. ____________ __________________________, 19________

Name ________________________________________

Position or job title ____________ County__________

Description of services rendered:

(Describe service and specify period [dates] of service)

I hereby certify that I have rendered the services herein stated, that I have received the full compensation
to which I was entitled for those services rendered for
my own use and benefit, and that I have not paid, de-
posited, assigned, or contracted to pay, deposit or assign,
any part of my full compensation for the use of any
other person, or in any way, directly or indirectly, paid
or given, or contracted to pay or give, any reward or
compensation for my position or job or the emoluments
thereof to any other person.

(Signed) ________________________________________

If the services to the county of a county official, assis-
tant, deputy or employee terminate before the end of a
class year, the official, assistant, deputy or employee
shall, at the time his services end, sign and submit the
above affidavit to the clerk of the county court.

All affidavits submitted shall be filed and preserved
by the clerk of the county court.

§7-7-11. Illegal orders for compensation.

1 If any clerk shall issue and deliver a draft to any county
2 clerk, circuit clerk, joint clerk of the county and circuit
3 court, if any, sheriff, county assessor, prosecuting at-
4 torney, or any of their assistants, deputies or employees,
in payment of their compensation, without all the applicable requirements of this article being complied with, the draft so issued and delivered shall be illegal and invalid. The clerk and the sureties on his bond shall be liable to the county court of his county for the payment thereof.

§7-7-12. Sharing compensation prohibited.

No county official shall receive or be paid, directly or indirectly, any part of the compensation of any assistant, deputy or employee, or any fee or reward for appointing him to his position. No member of a county court shall receive or be paid, directly or indirectly, any part of the compensation of any other county officer named in this article, or of any county assistant, deputy or employee. If any county commissioner or county official violates the provisions of this section, he shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred dollars, or imprisoned in the county jail not more than one year, or both fined and imprisoned. Any county commissioner or county official so convicted shall forfeit his office.
§7-7-13. Allowance for expenses of sheriff.

1. The county court of every county having a population of thirty thousand or less as determined by the latest official census available which, as provided in section two-a, article eight of this chapter, has directed the sheriff as jailer to feed prisoners shall, in addition to his compensation, allow to the sheriff for keeping and feeding each prisoner, other than federal prisoners or prisoners held under civil process as provided by law, one dollar and twenty-five cents per day for each prisoner.

2. The limitation per day shall not include cost of personal service, bed or bedding, soaps and disinfectants and items of like kind, the cost of all of which shall be paid out of the allowance fixed by the county court under the provisions of present law.

3. All supplies of whatever kind for keeping and feeding prisoners shall be purchased upon the requisition of the sheriff under rules and regulations prescribed by the county court. At the end of each month the sheriff shall file with the county court a detailed statement showing the name of each prisoner, date of commitment and date...
of discharge, the number of days in jail, and shall also
file an itemized statement showing each purchase and
the cost thereof for keeping and feeding prisoners.

The county court of every county shall allow the actual
and necessary expenses incurred or expended by the
sheriff in the discharge of his duties, including, but not
limited to those incurred in arresting, pursuing or trans-
porting persons accused or convicted of crimes and
offenses; in the cost of law enforcement and safety equip-
ment; in conveying or transporting a prisoner from and
to jail to participate in court proceedings, and in con-
veying or transferring any person to or from any state
institution where he may be committed from his county,
where by law the sheriff is authorized to convey or
transfer the person. The county court shall allow the
actual and necessary expenses incurred or expended in
serving summonses, notices or other official papers in
connection with the sheriff's office.

Every sheriff shall file monthly, under oath, a full and
accurate account of all the actual and necessary ex-
penses incurred by him, his deputies, assistants and
employees in the performance and discharge of their official duties supported by verified accounts before reimbursement thereof shall be allowed by the county court. Reimbursement, properly allowed, shall be made from the general county fund.

§7-7-14. Training of sheriffs and deputies; payment of expenses thereof by county court.

The county court of each county is authorized, at its discretion, to expend from the general county fund, upon request and requisition by the sheriff of the county, the necessary and proper travel expenses, per diem allowance of not less than three dollars fifty cents per day and tuition expenses for the training of the sheriff and his deputies of the county in the performance of their duties, as sheriff and deputy, at any training school or academy available therefor located in this state.

§7-7-15. Allowance for expenses of prosecuting attorney.

In addition to his compensation, the prosecuting attorney and his assistants shall be reimbursed for actual traveling expenses within the state in the performance of their official duties, and when out of the state for the purpose of taking depositions in cases in which other
counsel is not employed by the court under section one, article three, chapter sixty-two of this code, which expenses shall be duly itemized and verified, and shall, if found correct, be allowed by the county court and be paid monthly out of the general county fund.

§7-7-16. Mileage allowance for county officials, their assistants, deputies and employees.

The county court of each county shall allow to each county official and to their deputies, assistants and employees, when they are required to drive their personally owned car in the actual performance and discharge of their official duties, reimbursement at the rate of ten cents for each mile traveled in their personally owned car.

Every county official shall file monthly, under oath, a full and accurate account of all the actual mileage driven by him, his deputies, assistants and employees, in the performance and discharge of their official duties supported by verified accounts before reimbursement thereof shall be allowed by the county court. Reimbursement, properly allowed, shall be made from the general county fund.
§7-7-17. Annual reports by county officers of expenditures for assistants, deputies and employees.

Every county official named in this article shall, on the first day of June of each year, file with the county court and with the state tax commissioner, an itemized sworn statement of the amount expended by him, including compensation, emoluments and other outlay of money or thing of value for the twelve months last preceding the time of filing the report, for the services of all his assistants, deputies and employees.

§7-7-18. Source of compensation paid judges of courts of limited jurisdiction.

The compensation of every judge of a court of record of limited jurisdiction established by the Legislature under section nineteen, article eight of the constitution, and the compensation of every person who serves as judge of any of those courts when the judge of the court cannot act, shall be paid out of the treasury of the county and not out of the treasury of the state.

§7-7-19. Penalties.

If any county clerk, circuit clerk, joint clerk of any county and circuit court, sheriff, county assessor or
prosecuting attorney fail to file the detailed request for appropriations or the budget statement as provided in section seven of this article or fail to file the monthly or semimonthly statement as provided in section nine of this article or fail to file the statement of expenditures as provided for in section seventeen of this article, or if any county clerk, circuit clerk, joint clerk, or any county and circuit court, sheriff, county assessor, prosecuting attorney, their assistants, deputies or employees, fail to comply with any of the requirements provided in this article, he shall, except where another penalty is prescribed, be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned in the county jail not less than thirty days nor more than six months, or both fined and imprisoned.

§7-7-20. Severability.

If any provision of this article or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications
4 of the article, and to this end the provisions of this article
5 are declared to be severable.

CHAPTER 11. TAXATION.

ARTICLE 2. ASSESSORS.

§11-2-2. Deputy assessors.

1 The assessor in every county shall select his deputies,
2 assistants and other employees in the same manner as is
3 provided for the selection of deputies, assistants and em-
4 ployees of sheriffs and clerks of courts.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect July 1, 1971.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______ approved _______ this the _______ day of _______ , 1971.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/24/71
Time 1:47 p.m.