

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974



ENROLLED

Committee Substitute for
HOUSE BILL No. 635

(By Mr. *Rollins*)



PASSED *March 9* 1974

In Effect *July 1, 1974* Passage



929

FILED IN THE OFFICE
ESOM T. WENGER III
SECRETARY OF STATE
THIS DATE *3-18-74*

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 635

(By MR. ROLLINS)

[Passed March 9, 1974; in effect July 1, 1974.]

AN ACT to amend and reenact section sixteen, article seven, chapter seven, and section twelve, article seventeen, chapter fifty of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing mileage allowance for public officers and employees utilizing personally owned vehicles in the actual performance and discharge of their official duties; relating to mileage allowance for county officials, their deputies, assistants and employees; relating to mileage allowance for constables in criminal cases and relating to other fees of constables.

Be it enacted by the Legislature of West Virginia:

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

CHAPTER 7. COUNTY COURTS AND OFFICERS.

ARTICLE 7. TRAINING PROGRAMS FOR COUNTY EMPLOYEES, ETC.; COMPENSATION OF ELECTED COUNTY OFFICIALS; COUNTY ASSISTANTS, DEPUTIES AND EMPLOYEES, THEIR NUMBER AND COMPENSATION.

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

1 The county court of each county shall allow to each
2 county official and to their deputies, assistants and employees
3 when they are required to drive their personally owned vehicles
4 in the actual performance and discharge of their official duties,
5 reimbursement at the rate of fifteen cents for each mile traveled
6 in their personally owned vehicles.

7 Every county official, shall file monthly, under oath, a full
8 and accurate account of all the actual mileage driven by him,
9 his deputies, assistants and employees, in the performance and
10 discharge of their official duties supported by verified accounts
11 before reimbursement thereof shall be allowed by the county
12 court. Reimbursement, properly allowed, shall be made from
13 the general county fund.

CHAPTER 50. JUSTICES AND CONSTABLES.

ARTICLE 17. FEES, FINES AND COSTS.

§50-17-12. Fees of constables in criminal cases.

1 Every constable shall be entitled to the following fees in
2 criminal cases:

- | | | |
|---|---|--------|
| 3 | 1. For an arrest in case of felony | \$3.50 |
| 4 | 2. For an arrest in cases other than felony | 3.00 |
| 5 | 3. For serving a subpoena | .50 |
| 6 | 4. For executing a search warrant | 2.50 |
| 7 | 5. For summoning a jury in criminal action | 1.50 |
| 8 | 6. Witness fee constable | .50 |

9 7. In addition to above fees, constables shall be allowed
10 twelve cents for each mile of necessary travel utilizing their
11 personally owned vehicle in the actual performance and dis-

12 charge of their official duties, and fifteen cents per mile for
13 transporting prisoners if the constables are driving their per-
14 sonally owned motor vehicles in the transporting of such
15 prisoners, if such mileage fees in any case shall exceed one
16 dollar.

17 8. In cases of search warrants and proceedings under article
18 one, chapter sixty-two of this code, the fees of the constable
19 shall be chargeable to the county, shall be audited and paid
20 as other claims of like nature by the county court.

21 9. In criminal cases, other than felony, such fees shall be
22 charged and paid as provided in section fifteen, article five,
23 chapter seven of this code, and section eight, article eighteen
24 of this chapter.

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

H. Daniel Darty
Chairman Senate Committee

Clarence C. Chester Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1974.

Harold W. Carson
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

H. T. Brotherton, Jr.
President of the Senate

Lewis F. McMan
Speaker House of Delegates

The within approved this the 18th
March day of _____, 1974.

Arch A. Shaw, Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/15/14

Time 2:50 p.m.