WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED
Committee Substitute for
HOUSE BILL No. 635

(By Mr. Raelin)

PASSED March 9, 1974
In Effect July 1, 1974

FILED IN THE OFFICE
EDGAR F. NEKSHILL, III
SECRETARY OF STATE
THIS DATE 3-18-74
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.

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 vehicles in the actual performance and discharge of their official duties, reimbursement at the rate of fifteen cents for each mile traveled in their personally owned vehicles.

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.

CHAPTER 50. JUSTICES AND CONSTABLES.

ARTICLE 17. FEES, FINES AND COSTS.

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

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

1. For an arrest in case of felony $3.50
2. For an arrest in cases other than felony 3.00
3. For serving a subpoena .50
4. For executing a search warrant 2.50
5. For summoning a jury in criminal action 1.50
6. Witness fee constable .50
7. In addition to above fees, constables shall be allowed twelve cents for each mile of necessary travel utilizing their personally owned vehicle in the actual performance and dis-
charge of their official duties, and fifteen cents per mile for
transporting prisoners if the constables are driving their per-
sonally owned motor vehicles in the transporting of such
prisoners, if such mileage fees in any case shall exceed one
dollar.

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

9. In criminal cases, other than felony, such fees shall be
charged and paid as provided in section fifteen, article five,
chapter seven of this code, and section eight, article eighteen
of this chapter.
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, 1974.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor