

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978

— ● —

ENROLLED

HOUSE BILL No. 1474

(By Mr. Dawson + Mr. Lee)

— ● —

PASSED March 11, 1978

In Effect ninety days from Passage



C 641

ENROLLED

H. B. 1474

(By MR. DAMRON and MR. SEE)

[Passed March 11, 1978; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article nine, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to powers of the circuit court under the reciprocal dependency law; fees to be collected by the clerk.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article nine, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 9. REVISED UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

§48-9-15. Costs and fees.

1 An initiating court shall not require payment of either
2 a filing fee or other costs from the obligee, but may request
3 the responding court to collect fees and costs from the obligor.
4 A responding court shall not require payment of a filing fee
5 or other costs from the obligee, but it may direct that all
6 fees and costs requested by the initiating court and incurred
7 in this state when acting as a responding state, including
8 fees for filing of pleadings, service of process, seizure of
9 property, stenographic or duplication service or other service
10 supplied to the obligor, be paid in whole or in part by the
11 obligor. When a court in this state is the responding court

12 and has ordered that the obligor make payments to the
13 clerk of such court for transmission to the court in an
14 initiating state, the clerk shall collect from the obligor, in
15 addition to all other fees and costs, a fee equal to one
16 percent of the payment ordered to be paid by the obligor,
17 which fee shall be treated in the manner of all other fees
18 received by the clerk. Costs or fees do not have priority
19 over amounts due to the obligee.

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

James L. Davis
Chairman Senate Committee

Chenue C. Chustone
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. C. Wilson, Jr.
Clerk of the Senate

C. D. Blankenship
Clerk of the House of Delegates

W. T. Bratherton, Jr.
President of the Senate

Donald L. Hopp
Speaker House of Delegates

The within is approved this the 30
day of March, 1978.

John D. Rhyne
Governor



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MAR 17 10 42 AM '78
OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date Mar. 30, 1978

Time 9:20 A.M.

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OFFICE
SECY. OF STATE