

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-29-81

Time \_\_\_\_\_

no: 576

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1981**



**ENROLLED**

SENATE BILL NO. 576  
*576*

(By Mr. *Boettner*)



PASSED *April 11* 1981

In Effect *ninty days from* Passage



**ENROLLED**  
**Senate Bill No. 576**

(By MR. BOETTNER)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article six, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing magistrate court clerks, deputy clerks and assistants to proceed upon certain suggestions of salary and wages on an intercounty basis.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 6. ENFORCEMENT OF CIVIL JUDGMENTS.**

**§50-6-1. Enforcement of judgments.**

1 (a) The provisions of articles three, four, five, five-a, five-b  
2 and six, chapter thirty-eight of this code, except as the same  
3 are in conflict with the provisions of this chapter or are clearly  
4 applicable only to courts of record, shall apply to the  
5 enforcement of judgments rendered in magistrate court and  
6 process therefor shall issue from magistrate court. Process  
7 issued in violation of such provisions shall be void. The form  
8 of such process shall be in accord with the rules of the  
9 supreme court of appeals. No such process shall issue until  
10 after ten days after the judgment is rendered or, if a motion to  
11 set aside such judgment is then pending, until after ten days  
12 after the determination of such motion.

13 (b) A magistrate court clerk, deputy clerk or magistrate  
14 assistant before whom a suggestion of salary and wages is  
15 instituted pursuant to the provisions of articles five-a and

16 five-b, chapter thirty-eight of this code shall, in the event it  
17 would be more appropriate for such suggestion to be  
18 conducted in another county, forward all fees collected  
19 together with the appropriate papers to the magistrate court  
20 of the appropriate county, and the clerk, deputy clerk or  
21 magistrate assistant receiving such papers and fees shall  
22 proceed with the suggestion the same as if it were actually  
23 instituted before him.

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

*R. P. Bayler*  
Chairman Senate Committee

*Tommy E. Whittow*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Judd C. Walter*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Mark Starnes*  
President of the Senate

*Walter H. Lee, Jr.*  
Speaker House of Delegates

The within *approved* this the *29* day of *April*, 1981.

*John D. Roper*  
Governor

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SECY. OF STATE