WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

ENROLLED
SENATE BILL NO. 649

(By Mr. Stephe)

PASSED April 10, 1981
In Effect July 1, 1981
AN ACT to amend and reenact section fifteen, article five, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing the use of certain net proceeds from certain fines and forfeitures for the operation of regional correctional facilities.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 5. FISCAL AFFAIRS.

§7-5-15. Auditing and payment of claims of magistrates, justices of the peace and constables; annual statement of sheriff of fines and costs received from justices and magistrates; payment into state treasury.

1 All claims by justices and constables for fees due them in misdemeanor proceedings in the county, instituted before them on and after the effective date of this section, shall be audited and examined by the county commission, and if found correct and if submitted, as provided in the heretofore existing section fourteen, article seventeen, chapter fifty of this code, the county commission shall cause orders to be issued therefor on the sheriff to be paid out of the general school fund or out of the general county fund, as the commission may direct. The sheriff shall annually, during the month of January, render under
12. Oath to the auditor a true statement of the account of all fines and costs collected by magistrates and transmitted to him and pay into the treasury of the state, the net proceeds of such fines and costs as exhibited by such account, to be appropriated as directed by the fifth section of article twelve of the constitution of this state. Failure to do so shall be deemed a breach of his official duty. For the purposes of this section, the net proceeds of such fines and costs shall be deemed to be the proceeds remaining after deducting therefrom the lawful fees of constables and justices of the peace; the cost of auditing the accounts of justices of the peace, constables and magistrates by the chief inspector's office; the expenses for operation and maintenance of the county jail or a regional correctional facility operated jointly with one or more other county or counties; the costs of constructing, reconstructing and renovating any jail facility used for county prisoners; and periodic payments, if any, for the establishment of a jail improvement fund in the manner provided by section nine, article one of this chapter for constructing, reconstructing or renovating any jail facility used for county prisoners.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Bayles
Chairman Senate Committee

Tyone E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1981.

J. A. Wells
Clerk of the Senate

Mrs. Blankenship
Clerk of the House of Delegates

Mary Perdue
President of the Senate

Nellie M. Seago
Speaker House of Delegates

The within ______ approved ______ this the ______ day of ______, 1981.

Governor