

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-29-81

Time _____

no: 577

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981



ENROLLED

SENATE BILL NO. 577

(By Mr. Balton)



PASSED April 9, 1981

In Effect ninety days from Passage



ENROLLED
Senate Bill No. 577

(By MR. BOETTNER)

[Passed April 9, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article one-c, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to criminal procedure; bail; bail defined; forms; receipts; providing an increase in the maximum cash bail which a magistrate may receive.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1C. BAIL.

§62-1C-2. Bail defined; form; receipts.

1 Bail is security for the appearance of a defendant to answer
2 to a specific criminal charge before any court or magistrate at
3 a specific time or at any time to which the case may be
4 continued. It may take any of the following forms:

5 (a) The deposit by the defendant or by some other person
6 for him of cash, provided, if cash totaling more than
7 twenty-five hundred dollars for one or more offenses is
8 tendered as bail to a magistrate by or on behalf of any
9 defendant, the magistrate shall not receive same but shall
10 direct that the sum be forthwith deposited with the clerk of
11 the court having jurisdiction to try criminal cases.

12 (b) The written undertaking by one or more persons to
13 forfeit a sum of money equal to the amount of the bail if the
14 defendant is in default for appearance, which shall be known
15 as a recognizance.

16 (c) Such other form as the judge of the court that will have
17 jurisdiction to try the offense may determine.

18 All bail shall be received by the clerk of the court, or by the
19 magistrate and, except in case of recognizance, receipts shall
20 be given therefor by him.

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

R. P. Baylor
Chairman Senate Committee

Jonny E. Whittow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Jodd C. Willis
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

Wm. R. Roan
President of the Senate

Walter M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *29*

day of *April*, 1981.

Richard L. Taylor
Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE