WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984

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ENROLLED

Comm. Sub. for
HOUSE BILL No. 1605

(By Mr. Del. Love)  

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Passed  

March 10, 1984

In Effect  

July 1, 1984  

Passage
COMMITTEE SUBSTITUTE

FOR

H. B. 1605

(By Delegate Love)

[Passed March 10, 1984; in effect July 1, 1984.]

AN ACT to amend article ten, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four, relating to the power of municipalities to authorize the recorder, assistant recorder, municipal clerk or deputy municipal clerk to issue warrants, administer oaths, and to accept and approve sureties and bonds; providing for the appointment of such official and for the removal of such authority; and setting forth limitations on the authority of such official.

Be it enacted by the Legislature of West Virginia:

That article ten, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section four, to read as follows:

ARTICLE 10. POWERS AND DUTIES OF CERTAIN OFFICERS.

§8-10-4. Additional powers and duties of recorder and other officers.

1 Any municipality may provide by charter provision and
2 ordinance, or notwithstanding a charter provision to the
3 contrary, a municipality may provide by ordinance, that the
governing body may vest in the recorder, assistant recorder,
municipal clerk or deputy municipal clerk, the authority to
issue warrants for arrest, to administer oaths, and to accept and approve sureties and bonds, and any such ordinance shall provide for the appointment of such person by confirmation of the governing body and for the removal of such authority by action of the governing body: Providing, That such person may only issue warrants, administer oaths, or accept and approve sureties and bonds, in the absence of the mayor, or if there be a police court or municipal judge, in the absence of such police court or municipal judge.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1984.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 7th day of March, 1984.

Governor