WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

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ENROLLED

Comm. Sub. for
HOUSE BILL No. 1773

(By Mr. Del. Ryan)

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Passed April 12, 1985

In Effect July 1, 1985
AN ACT to amend and reenact section fourteen, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to and increasing certain fees to be charged by the sheriff.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. FEES AND ALLOWANCES.

§59-1-14. Fees to be charged by sheriffs.

1 A sheriff shall charge and collect the following fees:

2 For serving on any person a declaration in

3 ejectment, or an order, notice, summons or other

4 process where the body is not taken, except a

5 subpoena served on a witness, and making

6 return thereof......................................... $5.00

7 For summoning a witness ............................. 5.00

8 For serving on any person an attachment or other

9 process under which the body is taken.............. 5.00
For levying an attachment on real estate and making the return ....................... 5.00
For making any other levy .............................................. 5.00
For conveying a prisoner to or from jail, for each mile of necessary travel either in going or returning ........................................ .15
For taking any bond ..................................................... 1.00
When a jury is sworn in court, for summoning and impaneling such jury ............... 1.00
For serving a writ of possession ...................................... 5.00
For issuing receipt to purchaser at delinquent tax sale .................................. 1.00
The county commission, giving due regard to the cost thereof, may from time to time prescribe the amount which the sheriff may charge for keeping any property or in removing any property. When, after distraining or levying, he neither sells nor receives payment, and either takes no bond or takes one which is not forfeited, he shall, if guilty of no default, have (in addition to the one dollar for a bond, if one was taken) a fee of three dollars, unless this be more than half of what his commission would have amounted to if he had received payment; in which case he shall (whether a bond was taken or not) have a fee of one dollar at the least, and so much more as is necessary to make the said half of his commission. The commission to be included in a forthcoming bond (when one is taken) shall be five percent on the first three hundred dollars of the money for which the distress or levy is made, and two percent on the residue of such money; but such commission shall not be received, in whole or in part, except as hereinbefore provided, unless the bond be forfeited, or the amount (including the commission) be paid to the plaintiff. An officer receiving payment in money, or selling property, shall have the like commission of five percent on the first three hundred dollars of the money paid or proceeds from such sale, and two percent on the residue, except that when such payment or sale is on an execution on a forthcoming bond, his commission shall be only half what it would be if the execution were not on such bond.
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, 1985.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ................... this the ........................

day of ........................., 1985.

Governor