WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED

SENATE BILL NO. 574

(Originating in the Committee on the Judiciary)

PASSED March 11, 1987

In Effect Ninety Days from Passage
ENROLLED

Senate Bill No. 574

(Originating in the Committee on the Judiciary)

[Passed March 11, 1987; in effect ninety days from passage.]

AN ACT to amend and reenact section eight, article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to assistant prosecuting attorneys.

Be it enacted by the Legislature of West Virginia:

That section eight, article seven, 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 7. TRAINING PROGRAMS FOR COUNTY EMPLOYEES, ETC.; COMPENSATION OF ELECTED COUNTY OFFICIALS; COUNTY ASSISTANTS, DEPUTIES AND EMPLOYEES, THEIR NUMBER AND COMPENSATION.

§7-7-8. Assistant prosecuting attorneys; appointment and compensation; when court may appoint attorney to prosecute.

1 The prosecuting attorney of each county may, in accordance with and limited by the provisions of section seven of this article, appoint practicing attorneys to assist him in the discharge of his official duties during his term of office. Any attorney so appointed shall be classified as an
assistant prosecuting attorney and shall take the same oath
and may perform the same duties as his principal. Each
assistant shall serve at the will and pleasure of his principal
and may be removed from office by the circuit court of the
county in which he is appointed for any cause for which his
principal might be removed.

If, in any case, the prosecuting attorney and his assistants
are unable to act, or if in the opinion of the court it would be
improper for him or his assistants to act, the court shall
appoint some competent practicing attorney to act in that
case. The court shall certify to the county court the
performance of that service when completed and
recommend to the county court a reasonable compensation
for the attorney for his service, and the compensation, when
allowed by the county court, shall be paid out of the county
treasury. No provision of this section shall be construed to
prohibit the employment by any person of a practicing
attorney to assist in the prosecution of any person or
corporation charged with a crime.

The compensation to be paid to an assistant prosecuting
attorney shall include compensation provided by law for
any services he renders as attorney for any administrative
board or officer of his county.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

day of ......................, 1987.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/14/57
Time 3:21 p.m.