WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 538

(By Senator COHLE, ET AL.)

PASSED MARCH 12, 1988

In Effect 90 days from Passage
AN ACT to amend and reenact section twenty-nine, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to collection of fees, allowances or costs; and providing that the prosecuting attorney may proceed in magistrate court to collect unpaid fees, costs, percentages, penalties, commissions, allowances, compensation, income or any other perquisites of any kind.

Be it enacted by the Legislature of West Virginia:

That section twenty-nine, 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.

§59-1-29. Collection of such fees.

1 Each clerk of the county commission, sheriff, clerk of the circuit court and prosecuting attorney shall have charge of and collect the fees, costs, percentages, penalties, commissions, allowances, compensation, income and all other perquisites of whatever kind which are now or may hereafter be allowed by law. Whenever there remain due the county and unpaid, for a period of more than six months,
any fees, costs, percentages, penalties, commissions, allowances, compensation, income or any other perquisites of any kind, it shall be the duty of the county commission, or other tribunal in lieu thereof, by the prosecuting attorney, to proceed to the collection thereof in the circuit court or magistrate court, upon motion whereof the defendant and the sureties on his bond shall have at least twenty days' notice, or in any other manner provided for by law, and the amount so collected shall be paid into the county treasury to the credit of the general county fund.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Allison  
Chairman Senate Committee

Bernard V. Kelly  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

John C. Heiss  
Clerk of the Senate

Donald A. Kopp  
Clerk of the House of Delegates

Dan Tepfer  
President of the Senate

Robert L. C. Mitchell  
Speaker House of Delegates

The within bill approved this the 30th day of , 1988.

Andre A. Brainard  
Governor