

70. 151

25th

**WEST VIRGINIA LEGISLATURE**  
REGULAR SESSION, 1989



**ENROLLED**

**SENATE BILL NO.** 151

(By Senators Hause and J. Minchin)



**PASSED** March 14, 1989

In Effect 90 days from Passage

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OFFICE OF THE COMPTROLLER  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 151**

(BY SENATORS HAWSE AND J. MANCHIN)

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[Passed March 14, 1989; in effect ninety days from passage.]

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AN ACT to amend article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-ee; to amend article thirteen, chapter eight of said code by adding thereto a new section, designated section fifteen-a; and to amend article one, chapter eleven-a of said code by adding thereto a new section, designated section eight-a, all relating to authorizing county commissions, sheriffs and municipalities to enter into contracts with banking institutions to receive payment of service fees, assessments, fines, property taxes and other taxes.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three-ee; that article thirteen, chapter eight of said code be amended by adding thereto a new section, designated section fifteen-a; and that article one, chapter eleven-a of said code be amended by adding thereto a new section, designated section eight-a, all to read as follows:

**CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

**ARTICLE 1. COUNTY COMMISSIONS GENERALLY.**

**§7-1-3ee. Providing for payment of service fees at banking institutions.**

1 Notwithstanding any other provision of this code the  
2 county commission may enter into a contract with one  
3 or more banking institutions, as defined in section two,  
4 article one, chapter thirty-one-a of this code, doing  
5 business in the county for the purpose of receiving  
6 payment of any service fee authorized in this article or  
7 elsewhere in this code.

8 Any such contract shall specify the manner in which  
9 the fees received shall be paid over to the county and  
10 a method for verification by the county commission of  
11 all amounts received pursuant to the contract. The  
12 contract may provide for the payment of a reasonable  
13 fee for the provision of such services by the banking  
14 institution.

**CHAPTER 8. MUNICIPAL CORPORATIONS.**

**ARTICLE 13. TAXATION AND FINANCE.**

**§8-13-15a. Providing for payment at banking institutions.**

1 Notwithstanding any other provision of this code the  
2 treasurer of the municipality, or other individual who  
3 may be designated by general law, by charter provi-  
4 sion or by the governing body, to collect and promptly  
5 pay into the municipal treasury all taxes, fines, special  
6 assessments and other moneys due the municipality,  
7 may enter into a contract with one or more banking  
8 institutions, as defined in section two, article one,  
9 chapter thirty-one-a of this code, doing business in the  
10 municipality for the purpose of receiving payment of  
11 municipal taxes, fines, assessments and other moneys.

12 Any such contract shall specify the manner in which  
13 the taxes, fines, assessments and other moneys  
14 received shall be paid over to the municipality and a  
15 method for verification by the treasurer of the munic-  
16 ipality of all amounts received pursuant to the con-  
17 tract. The contract may provide for the payment of a

18 reasonable fee for the provision of such services by the  
19 banking institutions.

**CHAPTER 11A. COLLECTION AND ENFORCEMENT OF  
PROPERTY TAXES.**

**ARTICLE 1. ACCRUAL AND COLLECTION OF TAXES.**

**§11A-1-8a. Providing for payment at banking institutions.**

1 Notwithstanding any other provision of this code the  
2 sheriff, with the consent of the county commission,  
3 may enter into a contract with one or more banking  
4 institutions, as defined in section two, article one,  
5 chapter thirty-one-a of this code, doing business in the  
6 county for the purpose of receiving payment of  
7 property taxes.

8 Any such contract shall specify the manner in which  
9 all taxes received shall be paid to the sheriff and a  
10 method for verification by the sheriff and the county  
11 commission of all amounts received pursuant to the  
12 contract. The contract may provide for the payment of  
13 a reasonable fee for the provision of such services by  
14 the banking institution.

15 Nothing herein may be construed to affect the  
16 amount of the commission due the sheriff provided for  
17 in section seventeen of this article.

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

*Frederick L. Parker*  
Chairman Senate Committee

*Bernard V. Kelly*  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Todd C. Hill*  
Clerk of the Senate

*Donald J. Klapp*  
Clerk of the House of Delegates

*Sen. [Signature]*  
President of the Senate

*[Signature]*  
Speaker House of Delegates

The within *is approved* this the *25th*  
day of *March* 198*5*  
*Gaston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20

Time 1:40