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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992



# ENROLLED

HOUSE BILL No. 4598

(By Delegates M. Wensky and M. Miller)



Passed March 7, 1992

In Effect From Passage

**ENROLLED**  
**H. B. 4598**

(By DELEGATES MURENSKY AND M. MILLER)

[Passed March 7, 1992; in effect from passage.]

AN ACT to amend article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-seven, relating to the discretionary deposit in interest bearing accounts of moneys held by county officers; payment of interest to county general fund; annual report of deposits and interest payments.

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

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

**ARTICLE 1. FEES AND ALLOWANCES.**

**§59-1-37. Deposits by county officers in interest bearing accounts; payment to county general fund; annual report.**

1       Except as to any tax receipts, which shall be deposited  
2       in accordance with section four, article six, chapter  
3       seven of this code, when any fee, cost, percentage,  
4       penalty, commission, allowance, bond, deposit, surety or  
5       other cash payment or sum is to be held by the sheriff,  
6       prosecuting attorney, county commission, clerk of the  
7       county commission, clerk of the circuit court, or assessor  
8       of any county under any provision of law or proper order  
9       of the circuit court, said officer may, at his or her sole

10 discretion, deposit same in an interest bearing account  
11 or accounts in secure and properly insured banks. Any  
12 interest earned on such accounts, and not otherwise  
13 included in any refund, return or reimbursement of said  
14 fees, costs, penalties, commissions, allowances, bonds,  
15 deposits, sureties or other cash payments or sums, as  
16 directed by law or proper order of the circuit court,  
17 shall be paid into the county's general fund on a regular  
18 basis, but in no event less often than yearly.

19 All county officers shall report to the county commis-  
20 sion by the first day of July each year concerning his  
21 or her election to use interest bearing accounts, amounts  
22 currently on deposit and interest actually earned on  
23 such accounts.

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

*James Beck*  
-----  
Chairman Senate Committee

*Ernest C Moore*  
-----  
Chairman House Committee

Originating in the House.

Takes effect from passage.  
*David E. Adams*  
-----  
Clerk of the Senate

*Donald L Kopp*  
-----  
Clerk of the House of Delegates

*Neil Sandette*  
-----  
President of the Senate

*Robert M. ...*  
-----  
Speaker of the House of Delegates

The within *is approved* this the *30th*  
day of *March*, 1992.

*Yaston Caperton*  
-----  
Governor

PRESENTED TO THE

GOVERNOR,

Date - 3/27/92

Time 3:45 pm