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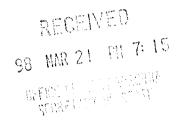
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OFFICE OF MASS MARSHIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1998

ENROLLED CALLETTE SUBSTITUTE FOR SENATE BILL NO. 422
SENATE BILL NO. 422
(By Senator <u>HUNTER, ET AL</u>)
PASSED <u>MARCH 13</u> , 1998 In Effect <u>NINETY Days From</u> Passage



ENROLLED

COMMITTEE SUBSTITUTE FOR

Senate Bill No. 422

(SENATORS HUNTER, LOVE, BUCKALEW AND BALL, original sponsors)

[Passed March 13, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact section ten, article two, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the bonding of deputy sheriffs; and providing that bonding not required when liability insurance is in place.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. OFFICIAL AND OTHER BONDS.

§6-2-10. Bonds of county officers; required for deputy sheriffs.

Every commissioner of a county commission and every 2 clerk of a circuit court shall give bond with good security, 3 to be approved by the circuit court, or the judge thereof in 4 vacation; and every sheriff, deputy sheriff, surveyor of 5 lands, clerk of a county commission, assessor, county superintendent of schools, notary public and magistrate 7 shall give bond with good security, to be approved, unless otherwise provided by law, by the county commission of 8 the county in which such officer is to act. The penalty of the bond of each commissioner of a county commission 10 11 shall be not less than twenty thousand dollars and not more than two hundred thousand dollars, the amount to 12 be fixed by the circuit court of the county, or the judge 13 thereof in vacation, by order entered of record on the 14 15 proper order books of both the county and circuit courts: 16 of the clerk of the circuit court, not less than ten thousand nor more than fifty thousand dollars; of the sheriff, not 17 18 less than one hundred thousand dollars nor more than the 19 aggregate amount of all state, county, district, school, 20 municipal and other moneys which will probably come 21into his hands during any one year of his term of office; of 22the deputy sheriff, not less than thirty-five thousand nor 23 more than one hundred thousand dollars; of the surveyor 24 of lands, not less than one thousand nor more than three 25 thousand dollars; of the clerk of the county commission, not less than ten thousand nor more than fifty thousand 26 27 dollars; of the assessor, not less than two thousand nor 28 more than five thousand dollars; of the county superinten-29 dent of schools, not less than ten thousand nor more than fifty thousand dollars; of a notary public, not less than 30 two hundred fifty nor more than one thousand dollars. 31 Any public body required to pay the premiums on official 32bonds may provide a blanket bond policy for two or more 33 34 such official bonds: Provided, That the bond herein required to be given by a notary public may be given 35

- 36 before the clerk of the county commission, in the vacation
- 37 of said commission, and approved by it at its next regular
- 38 session.
- 39 For the purposes of this section, "deputy sheriff" shall
- 40 mean a person appointed by a sheriff as his deputy whose
- 41 primary duty as such deputy is within the scope of active,
- 42 general law enforcement and as such is authorized to
- 43 carry deadly weapons, patrol the highways, perform police
- 44 functions, make arrests or safeguard prisoners.
- 45 The bond described in this section is not required for
- 46 deputy sheriffs if a county purchases professional liability
- 47 insurance pursuant to the provisions of section three,
- 48 article fourteen-a, chapter seven of this code.

That Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.
CardySchogover
Chairman Senate Committee.
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Wich Haute
Chairman House Committee
Chairman House Committee
Originated in the Senate.
In effect ninety days from passage
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PRESENTED TO THE

GOVERNOR

Date 3/20

Time 10:35 am