WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO. 374

(By Senator CRAIGO

PASSED March 10, 1999
In Effect NINETY DAYS FROM PASSAGE
AN ACT to amend and reenact section two, article three, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying that in each criminal case in a magistrate court in which a defendant is convicted, costs are to be assessed by the magistrate.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. COSTS, FINES AND RECORDS.

§50-3-2. Costs in criminal proceedings.

1 (a) In each criminal case before a magistrate court in which the defendant is convicted, whether by plea or at trial, there shall be imposed, in addition to other costs, fines, forfeitures or penalties as may be allowed by law, costs in the amount of fifty-five dollars. A magistrate shall not collect costs in advance. A magistrate court shall deposit five dollars from each of the criminal proceedings
fees collected pursuant to this section in the court security fund created in section fourteen, article three, chapter fifty-one of this code.

(b) A magistrate shall assess costs in the amount of two dollars and fifty cents for issuing a sheep warrant and the appointment and swearing appraisers and docketing the proceedings.

(c) In each criminal case which must be tried by the circuit court but in which a magistrate renders some service, costs in the amount of ten dollars shall be imposed by the magistrate court and shall be certified to the clerk of the circuit court in accordance with the provisions of section six, article five, chapter sixty-two of this code.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating 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

Governor
PRESENTED TO THE
GOVERNOR

Date: 3/18/99

Time: 11:05a