

HB 2146 S

FILED

2006 MAR 28 P 3:32

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ACCEPTED FOR
SERVICE OF PROCESS

2006 MAR 28 PM 3:23

SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2146

(By Delegate Stemple)



Passed March 10, 2006

In Effect Ninety Days from Passage

FILED

2006 MAR 28 P 3: 32

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ACCEPTED FOR
SERVICE OF PROCESS

2006 MAR 28 PM 3: 22

NOTED
SECRETARY OF STATE
STATE OF WEST VIRGINIA

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2146

(BY DELEGATE STEMPLE)

[Passed March 10, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §50-1-13 of the code of West Virginia, 1931, as amended, relating to payment to magistrates who serve temporarily in another county.

Be it enacted by the Legislature of West Virginia:

That §50-1-13 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. COURTS AND OFFICERS.

§50-1-13. Temporary service within or outside of county.

- 1 (a) The Chief Justice of the Supreme Court of Appeals or
- 2 judge of the circuit court of the county in which a magistrate is
- 3 elected, or the chief judge thereof if there is more than one

1 judge of the circuit court, may order a magistrate to serve
2 temporarily at locations within the county other than at the
3 regular office or offices of the magistrate.

4 (b) The Chief Justice of the Supreme Court of Appeals or
5 judge of the circuit court of the county in which a magistrate is
6 elected, or the chief judge thereof if there is more than one
7 judge of the circuit court, may by order direct a magistrate to
8 serve temporarily in any other county within the judicial circuit
9 for such purposes as the judge may direct. The magistrate's
10 authority, to the extent ordered by the judge, shall be equal to
11 the jurisdiction and authority of a magistrate elected in the
12 county to which the magistrate is ordered to serve. The tempo-
13 rary assignment may not exceed sixty days in length in any
14 given calendar year, except with the consent of the transferred
15 magistrate.

16 (c) A magistrate who is temporarily assigned to a county
17 with a higher salary schedule for magistrates than the salary
18 schedule in the county from which the magistrate was elected,
19 shall be reimbursed for the difference of the salary in the
20 assigned county and the lower salary which the magistrate
21 received in the county of election, prorated for the number of
22 days of the temporary assignment. An assigned magistrate may
23 not be reimbursed on a pro rata basis for less than the salary
24 received in the county of that magistrate's election.

25 (d) A magistrate shall be reimbursed for reasonable
26 expenses incurred in service outside of the county, as provided
27 by rule of the Supreme Court of Appeals.

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



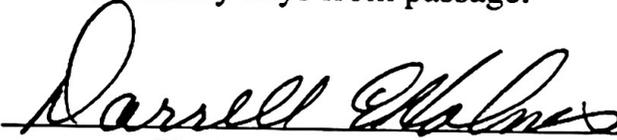
Chairman Senate Committee



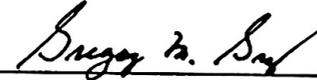
Chairman House Committee

Originating in the House.

In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 28th
day of May 2006.



Governor

PRESENTED TO THE
GOVERNOR

MAR 23 2006

Time 3:15 pm