

FILED

2007 MAR 16 PM 12: 51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

Senate Bill No. 105

(SENATORS FOSTER, HALL, McCABE, OLIVERIO, DEEM,
EDGELL, PLYMALE AND MCKENZIE, *original sponsors*)

[Passed March 4, 2007; in effect ninety days from passage.]

SB 105 5

FILED

2007 MAR 16 PM 12: 51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 105

(SENATORS FOSTER, HALL, MCCABE, OLIVERIO, DEEM,
EDGELL, PLYMALE AND MCKENZIE, *original sponsors*)

[Passed March 4, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §7-14E-2 of the Code of West Virginia, 1931, as amended, relating to imposing a surcharge on county commissions for delinquent payment of fees due the Deputy Sheriff Retirement Fund.

Be it enacted by the Legislature of West Virginia:

That §7-14E-2 of the Code of West Virginia, 1931, as

amended, be amended and reenacted to read as follows:

**ARTICLE 14E. ESTABLISHMENT OF CERTAIN FEES; DEDICATION OF
FEE TO DEPUTY SHERIFF RETIREMENT SYSTEM.**

**§7-14E-2. Statewide uniform fees for reports generated by
sheriff's offices; dedication of fees.**

1 (a) The county commission of each county in this state
2 shall set a fee for obtaining certain reports. This fee
3 shall be set at a minimum of ten dollars for each report,
4 with a maximum of twenty dollars for each report. Ten
5 dollars of the charge for each report shall be deposited
6 into the Deputy Sheriff Retirement Fund created in
7 section six, article fourteen-d of this chapter. The
8 reports for which a charge may be made are traffic
9 accident reports, criminal investigation reports,
10 incident reports and property reports.

11 (b) All sheriff's offices in this state shall collect a fee
12 of five dollars for performing the following services:
13 Adult private employment fingerprinting;
14 fingerprinting for federal firearm permits; motor vehicle
15 number identification; adult identification cards; and
16 photo-identification cards. Upon collection, these fees
17 shall be deposited into the Deputy Sheriff Retirement
18 Fund created in section six, article fourteen-d of this
19 chapter.

20 (c) All sheriff's offices in this state shall collect a fee of
21 five dollars for each nongovernmental background
22 investigation report. Upon collection, these fees shall be
23 deposited into the Deputy Sheriff Retirement Fund
24 created in section six, article fourteen-d of this chapter.

25 (d) No charge may be made under this section for any

26 report or reports made to governmental agencies.

27 (e) Any county commission which fails to make any
28 payment due the Deputy Sheriff Retirement Fund by
29 the fifteenth day following the end of each calendar
30 month in which a fee or other contribution is received
31 by the county's sheriff may be required to pay the
32 actuarial rate of interest lost on the total amount owed
33 for each day the payment is delinquent. Accrual of the
34 loss of earnings owed by the delinquent county
35 commission commences after the fifteenth day following
36 the end of the calendar month in which the fee or other
37 contribution is due and continues until receipt of the
38 delinquent amount. Interest compounds daily and the
39 minimum surcharge is fifty dollars.

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


.....
Chairman Senate Committee



.....
Chairman House Committee

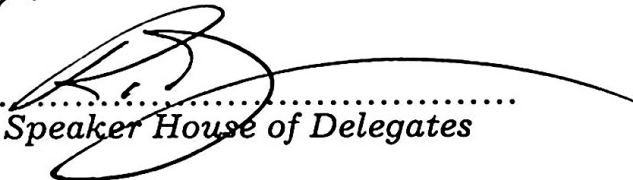
Originated in the Senate.

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 is approved this
the 16th Day of March, 2007.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 14 2007

Time 3:05 pm