

2007 MAR 28 PM 2: 39

OFFICE WEST MAGINIA SECRETARY OF STATE

## **WEST VIRGINIA LEGISLATURE**

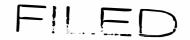
SEVENTY-EIGHTH LEGISLATURE REGULAR SESSION, 2007

## **ENROLLED**

Senate Bill No. 707

(By Senators Love and Kessler)

[Passed March 10, 2007; in effect from passage.]



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OFFICE WEST VIRGINIA SECRETARY OF STATE

## ENROLLED

## Senate Bill No. 707

(By Senators Love and Kessler)

[Passed March 10, 2007; in effect from passage.]

AN ACT to repeal §7-8-13 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §31-20-30, all relating to amount, collection of and refunding of jail processing fees.

Be it enacted by the Legislature of West Virginia:

That §7-8-13 of the Code of West Virginia, 1931, as amended, be repealed; and that said code be amended by adding thereto a new section, designated §31-20-30, all to read as follows:

ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY.

§31-20-30. Jail processing fee.

- (a) A person committed to be housed in jail by order of 1 2 magistrate, circuit judge or by temporary commitment 3 order shall, at the time of booking into the jail, pay a 4 processing fee of thirty dollars. If the person is unable 5 to pay at the time of booking, the fee shall be deducted, at a rate of fifty percent, from any new deposits made 6 into the person's jail trust account until the jail 7 8 processing fee is paid in full. The fee shall be credited 9 to the Regional Jail and Correctional Facility 10 Authority's operating budget. The fee should be paid prior to the offender being released. 11
- 12 (b) A refund of a fee collected under this section shall be made to a person who has paid the fee if the person 13 is not convicted of the offense for which the person was 14 booked and the person provides documentation from 15 16 the court showing that all charges for which the person 17 was booked were dismissed, accurate current name and 18 address and a valid photographic identification. In the case of multiple offenses, if the person is convicted of 19 any of the offenses the fee may not be refunded. If the 20 21 person is convicted of a lesser included offense or a related offense, no refund may be made. 22

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 from passage. Clerk of the Senate Clerk of the House of Delegates President of the Senate peaker House of Delegates . this 2007.

PRESENTED TO THE GOVERNOR

MAR 2 0 2007

Time 2:00 pm

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