

SB 618

FILED

2012 APR -3 PM 5: 14

**WEST VIRGINIA LEGISLATURE**  
**EIGHTIETH LEGISLATURE**  
**REGULAR SESSION, 2012**

THE WEST VIRGINIA  
SECRETARY OF STATE

—●—  
**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 618**

(SENATORS SNYDER, BEACH AND BROWNING, ORIGINAL SPONSORS)

[PASSED MARCH 10, 2012; IN EFFECT NINETY DAYS FROM PASSAGE.]

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(SENATORS SNYDER, BEACH AND BROWNING, *original sponsors*)

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[Passed March 10, 2012; in effect ninety days from passage.]

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AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-5-2a; to amend and reenact §8-10-2a and §8-10-2b of said code; to amend and reenact §8-13-15 of said code; and to amend and reenact §50-3-2a of said code, all relating to certain payments to governmental units; authorizing the use of credit or check cards for certain payments; authorizing a fee to be collected for the use of credit or check cards; requiring governmental units to obtain bids for credit card services; requiring compliance with rules of issuer of credit cards; requiring governmental units to wait ninety days after failure to pay costs, fines, forfeitures, restitutions or penalties or failure to appear before notifying the Division of Motor Vehicles; requiring costs, fines, forfeitures, restitutions or penalties imposed by magistrate courts to be paid in full; and establishing the priority of crediting payments to certain funds.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §7-5-2a; that 8-10-2a

and §8-10-2b of said code be amended and reenacted; that §8-13-15 of said code be amended and reenacted; and that §50-3-2a of said code be amended and reenacted, all to read as follows:

**CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

**ARTICLE 5. FISCAL AFFAIRS.**

**§7-5-2a. Credit cards as form of payment.**

1 Notwithstanding any code provision to the contrary,  
2 county officers required or authorized to collect fines, fees,  
3 taxes or other moneys provided by law may accept credit or  
4 check cards as a form of payment. County officers may set a  
5 fee to be added to each transaction equal to the charge paid  
6 by the county officers for the use of the credit or check card  
7 by the payor: *Provided*, That the county officer is required to  
8 obtain three bids and use the lowest, qualified bid received:  
9 *Provided, however*, That if a county officer has obtained  
10 credit card services, another county officer may be added to  
11 that service without receiving bids for that service. The  
12 county officer shall disclose the amount of the fee to the  
13 payor prior to the transaction and no other fees for the use of  
14 a credit or check card may be imposed upon the payor.  
15 Acceptance of a credit or check card as a form of payment  
16 shall be in accordance with the rules and requirements set  
17 forth by the credit or check card provider.

**CHAPTER 8. MUNICIPAL CORPORATIONS.**

**ARTICLE 10. POWERS AND DUTIES OF CERTAIN OFFICERS.**

**§8-10-2a. Payment of fines by credit cards or payment plan;  
suspension of driver's license for failure to pay  
motor vehicle violation fines or to appear in court.**

1 (a) A municipal court may accept credit cards in payment  
2 of all costs, fines, forfeitures or penalties. A municipal court  
3 may collect a substantial portion of all costs, fines, forfei-  
4 tures or penalties at the time such amount is imposed by the  
5 court so long as the court requires the balance to be paid  
6 within one hundred eighty days from the date of judgment

7 and in accordance with a payment plan: *Provided*, That all  
8 costs, fines, forfeitures or penalties imposed by the municipal  
9 court upon a nonresident of this state by judgment entered  
10 upon a conviction for a motor vehicle violation defined in  
11 section three-a, article three, chapter seventeen-b of this  
12 code must be paid within eighty days from the date of  
13 judgment. The payment plan shall specify: (1) The number of  
14 additional payments to be made; (2) the dates on which such  
15 payments and amounts shall be made; and (3) amounts due  
16 on such dates.

17 (b) If costs, fines, forfeitures or penalties imposed by the  
18 municipal court for motor vehicle violations as defined in  
19 section three-a, article three, chapter seventeen-b of this  
20 code are not paid within the time limits imposed pursuant to  
21 subsection (a) of this section, or if a person fails to appear or  
22 otherwise respond in court when charged with a motor  
23 vehicle violation as defined in section three-a, article three,  
24 chapter seventeen-b of this code, the municipal court must  
25 notify the Commissioner of the Division of Motor Vehicles of  
26 such failure to pay or failure to appear: *Provided*, That  
27 notwithstanding any other provision of this code to the  
28 contrary, the municipal court shall wait at least ninety days  
29 from the date that all costs, fines, forfeitures or penalties are  
30 due in full or, for failure to appear or otherwise respond,  
31 ninety days from the date of such failure before notifying the  
32 Division of Motor Vehicles thereof.

**§8-10-2b. Suspension of licenses for failure to pay fines and costs  
or failure to appear in court.**

1 (a) If costs, fines, forfeitures or penalties imposed by the  
2 municipal court upon conviction of a person for a criminal  
3 offense as defined in section three-c, article three, chapter  
4 seventeen-b of this code are not paid in full within one  
5 hundred eighty days of the judgment, the municipal court  
6 clerk or, upon a judgment rendered on appeal, the circuit  
7 clerk shall notify the Division of Motor Vehicles of the  
8 failure to pay: *Provided*, That notwithstanding any other  
9 provision of this code to the contrary, for residents of this  
10 state, the municipal court shall wait at least ninety days from

11 the date that all costs, fines, forfeitures or penalties are due  
12 in full before notifying the Division of Motor Vehicles  
13 thereof: *Provided, however,* That at the time the judgment is  
14 imposed, the judge shall provide the person with written  
15 notice that failure to pay the same as ordered may result in  
16 the withholding of any income tax refund due the licensee  
17 and shall result in the suspension of the person's license or  
18 privilege to operate a motor vehicle in this state and that the  
19 suspension could result in the cancellation of, the failure to  
20 renew or the failure to issue an automobile insurance policy  
21 providing coverage for the person or the person's family:  
22 *Provided further,* That the failure of the judge to provide  
23 notice does not affect the validity of any suspension of the  
24 person's license or privilege to operate a motor vehicle in this  
25 state. For purposes of this section, payment shall be stayed  
26 during any period an appeal from the conviction which  
27 resulted in the imposition of costs, fines, forfeitures or  
28 penalties is pending.

29       Upon notice, the Division of Motor Vehicles shall  
30 suspend the person's driver's license or privilege to operate  
31 a motor vehicle in this state until such time that the costs,  
32 fines, forfeitures or penalties are paid.

33       (b) Notwithstanding the provisions of this section to the  
34 contrary, the notice of the failure to pay costs, fines, forfei-  
35 tures or penalties may not be given where the municipal  
36 court, upon application of the person upon whom the costs,  
37 fines, forfeitures or penalties were imposed filed prior to the  
38 expiration of the period within which these are required to  
39 be paid, enters an order finding that the person is financially  
40 unable to pay all or a portion of the costs, fines, forfeitures  
41 or penalties: *Provided,* That where the municipal court, upon  
42 finding that the person is financially unable to pay a portion  
43 of the costs, fines, forfeitures or penalties, requires the  
44 person to pay the remaining portion, the municipal court  
45 shall notify the Division of Motor Vehicles of the person's  
46 failure to pay if not paid within the period of time ordered by  
47 the court.

48 (c) If a person charged with a criminal offense fails to  
49 appear or otherwise respond in court, the municipal court  
50 clerk shall notify the Division of Motor Vehicles of the  
51 failure to appear: *Provided*, That notwithstanding any other  
52 provision of this code to the contrary, for residents of this  
53 state, the municipal court clerk shall wait at least ninety  
54 days from the date of the person's failure to appear or  
55 otherwise respond before notifying the Division of Motor  
56 Vehicles thereof. Upon notice, the Division of Motor Vehicles  
57 shall suspend the person's driver's license or privilege to  
58 operate a motor vehicle in this state until such time that the  
59 person appears as required.

60 (d) On and after July 1, 2008, if the licensee fails to  
61 respond to the Division of Motor Vehicles order of suspen-  
62 sion within ninety days of receipt of the certified letter, the  
63 municipal court of original jurisdiction shall notify the Tax  
64 Commissioner that the licensee has failed to pay the costs,  
65 fines, forfeitures or penalties assessed by the court or has  
66 failed to respond to the citation. The notice provided by the  
67 municipal court to the Tax Commissioner must include the  
68 licensee's Social Security number. The Tax Commissioner, or  
69 his or her designee, shall withhold from any personal income  
70 tax refund due and owing to a licensee the costs, fines,  
71 forfeitures or penalties due to the municipality, the Tax  
72 Commissioner's administration fee for the withholding and  
73 any and all fees that the municipal court would have col-  
74 lected had the licensee appeared: *Provided*, That the Tax  
75 Commissioner's administration fee may not exceed \$25:  
76 *Provided, however*, That the Tax Commissioner may change  
77 this maximum amount limitation for this fee for fiscal years  
78 beginning on or after July 1, 2008, by legislative rule promul-  
79 gated in accordance with the provisions of article three,  
80 chapter twenty-nine-a of this code: *Provided further*, That  
81 the administrative fees deducted shall be deposited in the  
82 special revolving fund hereby created in the State Treasury,  
83 which shall be designated as the Municipal Fines and Fees  
84 Collection Fund, and the Tax Commissioner shall make such  
85 expenditures from the fund as he or she deems appropriate  
86 for the administration of this subsection. After deduction of

87 the Tax Commissioner's administration fee, the Tax Commis-  
88 sioner shall remit to the municipality all remaining amounts  
89 withheld pursuant to this section and the municipal court  
90 shall distribute applicable costs, fines, forfeitures or penal-  
91 ties owed to the municipality, the Regional Jail Authority  
92 Fund, the Crime Victims Compensation Fund, the Commu-  
93 nity Corrections Fund, the Governor's subcommittee on law-  
94 enforcement training or any other fund or payee that may be  
95 applicable. After the costs, fines, forfeitures or penalties are  
96 withheld, the Tax Commissioner shall refund any remaining  
97 balance due the licensee. If the refund is not sufficient to  
98 cover all the costs, fines, forfeitures or penalties being  
99 withheld pursuant to this section, the Tax Commissioner's  
100 administration fee shall be retained by the Tax Commis-  
101 sioner and the remaining money withheld shall be remitted  
102 by the Tax Commissioner to the municipality. The munici-  
103 pality shall then allocate the money so remitted to the  
104 municipality in the following manner: (1) Any costs, fines,  
105 forfeitures or penalties due to the municipality; (2) seventy-  
106 five percent of the remaining balance shall be paid to the  
107 appropriate Regional Jail Authority Fund; (3) fifteen percent  
108 of the remaining balance shall be paid to the Crime Victims  
109 Compensation Fund; (4) six percent of the remaining balance  
110 shall be paid into the Community Corrections Fund; and (5)  
111 the final four percent shall be paid to the Governor's sub-  
112 committee on law-enforcement training. When the costs,  
113 fines, forfeitures or penalties exceed the licensee's income  
114 tax refund, the Tax Commissioner shall withhold the  
115 remaining balance in subsequent years until such time as the  
116 costs, fines, forfeitures or penalties owed are paid in full. The  
117 Tax Commissioner shall remit the moneys that he or she  
118 collects to the appropriate municipality no later than July 1,  
119 of each year. If the municipal court or the municipality  
120 subsequently determines that any such costs, fines, forfei-  
121 tures or penalties were erroneously imposed, the municipal-  
122 ity shall promptly notify the Tax Commissioner. If the  
123 refunds have not been withheld and remitted, the Tax  
124 Commissioner may not withhold and remit payment to the  
125 municipality and shall so inform the municipality. If the  
126 refunds have already been withheld and remitted to the

127 municipality, the Tax Commissioner shall so inform the  
128 municipality. In either event, all refunds for erroneously  
129 imposed costs, fines, forfeitures or penalties shall be made by  
130 the municipality and not by the Tax Commissioner.

131 (e) *Rules and effective date.* — The Tax Commissioner  
132 may promulgate such rules as may be useful or necessary to  
133 carry out the purpose of this section and to implement the  
134 intent of the Legislature, to be effective on July 1, 2008.  
135 Rules shall be promulgated in accordance with the provi-  
136 sions of article three, chapter twenty-nine-a of this code.

137 (f) On or before July 1, 2005, the municipal court may  
138 elect to reissue notice as provided in subsections (a) and (c)  
139 of this section to the Division of Motor Vehicles for persons  
140 who remain noncompliant: *Provided*, That the person was  
141 convicted or failed to appear on or after January 1, 1993. If  
142 the original notification cannot be located, the Division of  
143 Motor Vehicles shall accept an additional or duplicate notice  
144 from the municipal court clerk.

#### ARTICLE 13. TAXATION AND FINANCE.

##### §8-13-15. Collection of municipal taxes, fines and assessments.

1 Unless otherwise provided, it shall be the duty of the  
2 treasurer of the municipality or other individual who may be  
3 designated by general law, by charter provisions or by the  
4 governing body, to collect and promptly pay into the munici-  
5 pal treasury all taxes, fines, special assessments or other  
6 moneys due the municipality. All such taxes, fines, special  
7 assessments (except assessments for permanent or  
8 semipermanent public improvements) and other moneys due  
9 the municipality are hereby declared to be debts owing to the  
10 municipality, for which the debtor shall be personally liable,  
11 and the treasurer, or other individual so designated, may  
12 enforce this liability by appropriate civil action in any court  
13 of competent jurisdiction, and is hereby vested with the same  
14 rights to distrain for the same as is vested in the sheriff for  
15 the collection of taxes. Such treasurer or other individual  
16 shall give a bond, conditioned according to law, in such



17 penalty and with such security as the governing body may  
18 require: *Provided*, That nothing in this article shall prohibit  
19 the payment of taxes, fines, special assessments or other  
20 moneys due the municipality by credit or check card. The  
21 municipality or municipal court may set a fee to be added to  
22 each transaction equal to the charge paid by the municipal-  
23 ity for the use of the credit or check card by the debtor:  
24 *Provided*, That the municipality is required to obtain three  
25 bids and use the lowest, qualified bid received: *Provided*,  
26 *however*, That if a municipality has obtained credit card  
27 services, the municipal court may be added to that service  
28 without receiving bids for that service. The municipality or  
29 municipal court shall disclose the amount of the fee to the  
30 debtor prior to the transaction and no other fees for the use  
31 of a credit or check card may be imposed upon the debtor.  
32 Acceptance of a credit or check card as a form of payment  
33 shall be in accordance with the rules and requirements set  
34 forth by the credit or check card provider. Allowing for the  
35 collection of these funds by credit or check card shall be at  
36 the discretion of the municipality or municipal court.

## CHAPTER 50. MAGISTRATE COURTS.

### ARTICLE 3. COSTS, FINES AND RECORDS.

#### §50-3-2a. Payment by credit card or payment plan; suspension of licenses for failure to make payments or appear or respond; restitution; liens.

1 (a) A magistrate court may accept credit cards in pay-  
2 ment of all costs, fines, fees, forfeitures, restitution or  
3 penalties in accordance with rules promulgated by the  
4 Supreme Court of Appeals. Any charges made by the credit  
5 company shall be paid by the person responsible for paying  
6 the cost, fine, forfeiture or penalty.

7 (b) Unless otherwise required by law, a magistrate court  
8 may collect a portion of any costs, fines, fees, forfeitures,  
9 restitution or penalties at the time the amount is imposed by  
10 the court so long as the court requires the balance to be paid  
11 in accordance with a payment plan which specifies: (1) The

12 number of payments to be made; (2) the dates on which the  
13 payments are due; and (3) the amounts due for each payment.  
14 The written agreement represents the minimum payments  
15 and the last date those payments may be made. The obligor  
16 or the obligor's agent may accelerate the payment schedule  
17 at any time by paying any additional portion of any costs,  
18 fines, fees, forfeitures, restitution or penalties.

19 (c) (1) If any costs, fines, fees, forfeitures, restitution or  
20 penalties imposed by the magistrate court in a criminal case  
21 are not paid within one hundred eighty days from the date of  
22 judgment and the expiration of any stay of execution, the  
23 magistrate court clerk or, upon judgment rendered on  
24 appeal, the circuit clerk shall notify the Commissioner of the  
25 Division of Motor Vehicles of the failure to pay: *Provided*,  
26 That in a criminal case in which a nonresident of this state  
27 is convicted of a motor vehicle violation defined in section  
28 three-a, article three, chapter seventeen-b of this code, the  
29 appropriate clerk shall notify the Division of Motor Vehicles  
30 of the failure to pay within eighty days from the date of  
31 judgment and expiration of any stay of execution. Upon  
32 notice, the Division of Motor Vehicles shall suspend any  
33 privilege the person defaulting on payment may have to  
34 operate a motor vehicle in this state, including any driver's  
35 license issued to the person by the Division of Motor Vehi-  
36 cles, until all costs, fines, fees, forfeitures, restitution or  
37 penalties are paid in full. The suspension shall be imposed in  
38 accordance with the provisions of section six, article three,  
39 chapter seventeen-b of this code: *Provided*, That any person  
40 who has had his or her license to operate a motor vehicle in  
41 this state suspended pursuant to this subsection and his or  
42 her failure to pay is based upon inability to pay, may, if he or  
43 she is employed on a full- or part-time basis, petition to the  
44 circuit court for an order authorizing him or her to operate  
45 a motor vehicle solely for employment purposes. Upon a  
46 showing satisfactory to the court of inability to pay, employ-  
47 ment and compliance with other applicable motor vehicle  
48 laws, the court shall issue an order granting relief.

49           (2) In addition to the provisions of subdivision (1) of this  
50 subsection, if any costs, fines, fees, forfeitures, restitution or  
51 penalties imposed or ordered by the magistrate court for a  
52 hunting violation described in chapter twenty of this code  
53 are not paid within one hundred eighty days from the date of  
54 judgment and the expiration of any stay of execution, the  
55 magistrate court clerk or, upon a judgment rendered on  
56 appeal, the circuit clerk shall notify the Director of the  
57 Division of Natural Resources of the failure to pay. Upon  
58 notice, the Director of the Division of Natural Resources  
59 shall suspend any privilege the person failing to appear or  
60 otherwise respond may have to hunt in this state, including  
61 any hunting license issued to the person by the Division of  
62 Natural Resources, until all the costs, fines, fees, forfeitures,  
63 restitution or penalties are paid in full.

64           (3) In addition to the provisions of subdivision (1) of this  
65 subsection, if any costs, fines, fees, forfeitures, restitution or  
66 penalties imposed or ordered by the magistrate court for a  
67 fishing violation described in chapter twenty of this code are  
68 not paid within one hundred eighty days from the date of  
69 judgment and the expiration of any stay of execution, the  
70 magistrate court clerk or, upon a judgment rendered on  
71 appeal, the circuit clerk shall notify the Director of the  
72 Division of Natural Resources of the failure to pay. Upon  
73 notice, the Director of the Division of Natural Resources  
74 shall suspend any privilege the person failing to appear or  
75 otherwise respond may have to fish in this state, including  
76 any fishing license issued to the person by the Division of  
77 Natural Resources, until all the costs, fines, fees, forfeitures,  
78 restitution or penalties are paid in full.

79           (d) (1) If a person charged with any criminal violation of  
80 this code fails to appear or otherwise respond in court, the  
81 magistrate court shall notify the Commissioner of the  
82 Division of Motor Vehicles: thereof within ninety days of the  
83 scheduled date to appear unless the person sooner appears or  
84 otherwise responds in court to the satisfaction of the magis-  
85 trate. Upon notice, the Division of Motor Vehicles shall  
86 suspend any privilege the person failing to appear or other-

87 wise respond may have to operate a motor vehicle in this  
88 state, including any driver's license issued to the person by  
89 the Division of Motor Vehicles, until final judgment in the  
90 case and, if a judgment of guilty, until all costs, fines, fees,  
91 forfeitures, restitution or penalties imposed are paid in full.  
92 The suspension shall be imposed in accordance with the  
93 provisions of section six, article three, chapter seventeen-b  
94 of this code.

95 (2) In addition to the provisions of subdivision (1) of this  
96 subsection, if a person charged with any hunting violation  
97 described in chapter twenty of this code fails to appear or  
98 otherwise respond in court, the magistrate court shall notify  
99 the Director of the Division of Natural Resources of the  
100 failure thereof within fifteen days of the scheduled date to  
101 appear unless the person sooner appears or otherwise  
102 responds in court to the satisfaction of the magistrate. Upon  
103 notice, the Director of the Division of Natural Resources  
104 shall suspend any privilege the person failing to appear or  
105 otherwise respond may have to hunt in this state, including  
106 any hunting license issued to the person by the Division of  
107 Natural Resources, until final judgment in the case and, if a  
108 judgment of guilty, until all costs, fines, fees, forfeitures,  
109 restitution or penalties imposed are paid in full.

110 (3) In addition to the provisions of subdivision (1) of this  
111 subsection, if a person charged with any fishing violation  
112 described in chapter twenty of this code fails to appear or  
113 otherwise respond in court, the magistrate court shall notify  
114 the Director of the Division of Natural Resources of the  
115 failure thereof within fifteen days of the scheduled date to  
116 appear unless the person sooner appears or otherwise  
117 responds in court to the satisfaction of the magistrate. Upon  
118 notice, the Director of the Division of Natural Resources  
119 shall suspend any privilege the person failing to appear or  
120 otherwise respond may have to fish in this state, including  
121 any fishing license issued to the person by the Division of  
122 Natural Resources, until final judgment in the case and, if a  
123 judgment of guilty, until all costs, fines, fees, forfeitures,  
124 restitution or penalties imposed are paid in full.

125 (e) In every criminal case which involves a misdemeanor  
126 violation, a magistrate may order restitution where appropri-  
127 ate when rendering judgment.

128 (f) (1) If all costs, fines, fees, forfeitures, restitution or  
129 penalties imposed by a magistrate court and ordered to be  
130 paid are not paid within one hundred eighty days from the  
131 date of judgment and the expiration of any stay of execution,  
132 the clerk of the magistrate court shall notify the prosecuting  
133 attorney of the county of nonpayment and provide the  
134 prosecuting attorney with an abstract of judgment. The  
135 prosecuting attorney shall file the abstract of judgment in  
136 the office of the clerk of the county commission in the county  
137 where the defendant was convicted and in any county  
138 wherein the defendant resides or owns property. The clerks  
139 of the county commissions shall record and index the  
140 abstracts of judgment without charge or fee to the prosecut-  
141 ing attorney and when so recorded, the amount stated to be  
142 owing in the abstract shall constitute a lien against all  
143 property of the defendant.

144 (2) When all the costs, fines, fees, forfeitures, restitution  
145 or penalties described in subdivision (1) of this subsection for  
146 which an abstract of judgment has been recorded are paid in  
147 full, the clerk of the magistrate court shall notify the prose-  
148 cuting attorney of the county of payment and provide the  
149 prosecuting attorney with a release of judgment, prepared in  
150 accordance with the provisions of section one, article twelve,  
151 chapter thirty-eight of this code, for filing and recordation  
152 pursuant to the provisions of this subdivision. Upon receipt  
153 from the clerk, the prosecuting attorney shall file the release  
154 of judgment in the office of the clerk of the county commis-  
155 sion in each county where an abstract of the judgment was  
156 recorded. The clerks of the county commissions shall record  
157 and index the release of judgment without charge or fee to  
158 the prosecuting attorney.

159 (g) Notwithstanding any provision of this code to the  
160 contrary, except as authorized by this section, payments of  
161 all costs, fines, fees, forfeitures, restitution or penalties  
162 imposed by the magistrate court in civil or criminal matters

163 shall be made in full. Partial payments of costs, fines, fees,  
164 forfeitures, restitution or penalties made pursuant to this  
165 section shall be credited to amounts due in the following  
166 order:

- 167 (1) Regional Jail Fund;
- 168 (2) Worthless Check Payee;
- 169 (3) Restitution;
- 170 (4) Magistrate Court Fund;
- 171 (5) Worthless Check Fund;
- 172 (6) Per Diem Regional Jail Fee;
- 173 (7) Community Corrections Fund;
- 174 (8) Regional Jail Operational Fund;
- 175 (9) Law Enforcement Training Fund;
- 176 (10) Crime Victims Compensation Fund;
- 177 (11) Court Security Fund;
- 178 (12) Courthouse Improvement Fund;
- 179 (13) Litter Control Fund;
- 180 (14) Sheriff arrest fee;
- 181 (15) Teen Court Fund;
- 182 (16) Other costs, if any;
- 183 (17) Fine.

FILED

Enr. Com. Sub. for S. B. No. 618]

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2012 APR -3 PM 5: 14

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

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

.....  
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 of the House of Delegates

The within *is approved* ..... this the *3rd*  
Day of *April* ....., 2012.

.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 29 2012

Time 8:40 am