

# WEST VIRGINIA LEGISLATURE

## 2018 REGULAR SESSION

Introduced

### Senate Bill 535

FISCAL  
NOTE

BY SENATORS TRUMP, UNGER, STOLLINGS, WOELFEL,

PLYMALE, AND CLINE

[Introduced February 14, 2018; Referred

to the Committee on the Judiciary]

1 A BILL to amend and reenact §30-29-4 of the Code of West Virginia, 1931, as amended, relating  
2 to increasing a fee, included in court costs of criminal cases, dedicated to funding training,  
3 professional development, and certification programs for law-enforcement officers.

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

## **ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.**

### **§30-29-4. Special revenue account -- Collections; disbursements; administrative expenses.**

1 (a) A ~~\$2~~ \$10 fee shall be added to the usual court costs of all criminal court proceedings  
2 involving violation of any criminal law of the state or any county or municipality thereof, excluding  
3 violations of municipal parking ordinances, unless such fee is later modified pursuant to legislative  
4 rule.

5 (b) A ~~\$2~~ \$10 fee shall be added to the amount of any cash or property bond posted for  
6 violation of any criminal law of the state or any county or municipality thereof, excluding bonds  
7 posted solely for violation of municipal parking ordinances, unless such fee is later modified  
8 pursuant to legislative rule. Upon forfeiture of such bond, the ~~\$2~~ \$10 fee shall be deposited as  
9 provided in subsection (c) of this section.

10 (c) All fees collected pursuant to subsections (a) and (b) of this section shall be deposited  
11 in a separate account by the collecting agency. Within 10 calendar days following the beginning  
12 of each calendar month, the collecting agency shall forward the amount deposited to the State  
13 Treasurer. The Treasurer shall deposit all fees so received ~~to~~ into a special revenue account.  
14 Funds in the account shall be disbursed by the subcommittee for the funding of law-enforcement  
15 entry level training programs, professional development programs, the certification of law-  
16 enforcement officers, and to pay expenses of the Governor's Committee on Crime, Delinquency,  
17 and Correction or the subcommittee in administering the provisions of this article, which expenses  
18 may not in any fiscal year exceed 15 percent of the funds deposited to said special revenue  
19 account during that fiscal year.

- 20 (d) The fees established by this section may be modified by legislative rule as provided in  
21 §30-29-3 of this code.

NOTE: The bill increases the court fee established to fund law enforcement professional standards training and expenses from \$2.00 to \$10.00. The fee has not changed since 1982.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.