

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

Senate Bill 100

SENATOR TRUMP, *original sponsor*

[Originating in the Committee on Finance; Reported
on January 30, 2019]

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 added to the usual court costs of all criminal proceedings; and
3 increasing fee added to the amount of any cash or property bond posted for violation of
4 any criminal law, the proceeds of which are dedicated to the funding of training,
5 professional development, and certification programs for law-enforcement officers and to
6 paying the expenses of the Law-Enforcement Professional Standards Subcommittee.

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~~ \$12 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~~ of the state,
3 excluding violations of municipal parking ordinances, unless ~~such~~ the fee is later modified
4 pursuant to a legislative rule.

5 (b) A ~~\$2~~ \$12 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~~ of the state,
7 excluding bonds posted solely for violation of municipal parking ordinances, unless ~~such~~ the fee
8 is later modified pursuant to a legislative rule. Upon forfeiture of ~~such~~ the bond, the ~~\$2~~ \$12 fee
9 shall be deposited as provided in §30-29-4(c) of this code.

10 (c) All fees collected pursuant to §30-29-4(a) and §30-29-4(b) of this code shall be
11 deposited in a separate account by the collecting agency. Within 10 calendar days following the
12 beginning of each calendar month, the collecting agency shall forward the amount deposited to
13 the State Treasurer. The Treasurer shall deposit all fees ~~so~~ received ~~to~~ into a special revenue
14 account. ~~Funds in the account shall be disbursed by~~ The subcommittee shall disburse funds in
15 the account for the funding of law-enforcement entry level training programs, professional
16 development programs, the certification of law-enforcement officers, and to pay expenses of the
17 Governor's Committee on Crime, Delinquency, and Correction, or the subcommittee in

18 administering the provisions of this article. ~~Which~~ The expenses may not in any fiscal year exceed
19 15 percent of the funds deposited to ~~said~~ the special revenue 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 purpose of this bill is to increase the court fees established to fund law-enforcement professional standards training and expenses from \$2 to \$12. The fees have 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.