

SB 707 5

FILED

2007 MAR 28 PM 2: 39

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That §7-8-13 of the Code of West Virginia, 1931, as amended, be repealed; and that said code be amended by adding thereto a new section, designated §31-20-30, all to read as follows: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

1 (a) A person committed to be housed in jail by order of
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,
6 at a rate of fifty percent, from any new deposits made
7 into the person's jail trust account until the jail
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
11 prior to the offender being released.

12 (b) A refund of a fee collected under this section shall
13 be made to a person who has paid the fee if the person
14 is not convicted of the offense for which the person was
15 booked and the person provides documentation from
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
19 case of multiple offenses, if the person is convicted of
20 any of the offenses the fee may not be refunded. If the
21 person is convicted of a lesser included offense or a
22 related offense, no refund may be made.

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

Ch White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Darrell Holmes
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this
the *28th* Day of *March*, 2007.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 20 2007

Time 2:00 pm