

Senate Bill No. 464

(By Senators D. Hall and Green)

[Introduced February 3, 2014; referred to the Committee on the
Judiciary.]

10 A BILL to amend and reenact §6-2-21 of the Code of West Virginia,
11 1931, as amended, relating to prohibiting officers from taking
12 bonds for persons in custody or from acting as a bail
13 bondsman.

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

15 That §6-2-21 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 2. OFFICIAL AND OTHER BONDS.**

18 **§6-2-21. Bonds taken for persons in custody.**

19 No officer, by color of his or her office, ~~shall~~ may take any
20 obligation, otherwise than is directed by law, of or for any person
21 in his or her custody. ~~If he~~ the officer does this, the ~~same shall~~
22 ~~be~~ action is void because of the conflict of interest it presents.

23 Law-enforcement officers may not serve as a bail bondsman of

1 a person in custody, nor may any immediate family member of a law-
2 enforcement officer serve as a bail bondsman because of the
3 conflict of interest it presents and any such action, if
4 undertaken, is void.

NOTE: The purpose of this bill is to prohibit law-enforcement officers and immediate family members from taking bonds for persons in custody or from acting as a bail bondsman.

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