

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 100

FISCAL
NOTE

BY SENATOR TRUMP

[Introduced January 9, 2019; Referred
to the Committee on Finance]

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~~ \$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~~ 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~~ \$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~~ 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~~ \$10 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 \$2.00 to \$10.00. The fees 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.