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**SENATE BILL NO. 495**

Offered January 10, 2018

Prefiled January 9, 2018

*A BILL to amend and reenact § 16.1-69.48 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-1609.7:1, relating to the Deputy Sheriff Supplemental Salary Fund; creation and revenue source.*

Patron—Carrico

Referred to Committee on Finance

**Be it enacted by the General Assembly of Virginia:**

**1. That § 16.1-69.48 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-1609.7:1 as follows:**

**§ 15.2-1609.7:1. Deputy Sheriff Supplemental Salary Fund.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Deputy Sheriff Supplemental Salary Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All fees and fines transmitted by circuit court clerks pursuant to subdivision B 1 of § 16.1-69.48 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of supplementing the salaries of deputy sheriffs in qualified localities. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the chairman of the Compensation Board.

B. A locality that (i) is not, as of January 1, 2018, supplementing the salaries of deputy sheriffs by more than 20 percent of the base deputy salary set forth in a general appropriation act and (ii) employs deputies other than correctional deputies shall be eligible to apply to the Compensation Board for awards from the Fund. Such awards shall be used by a locality to supplement the salaries of deputy sheriffs up to 20 percent of the base deputy salary set forth in a general appropriation act.

**§ 16.1-69.48. Fees and fines.**

A. All fees collected by the judge, substitute judge, clerk or employees, but not including fees belonging to officers other than the judge, clerk or employees, of a general district court or juvenile and domestic relations district court shall be paid promptly to the clerk of the circuit court who shall pay the same into the state treasury. Fees collected for services of the attorney for the Commonwealth shall be paid by the clerk of the circuit court, one-half of such fee shall be paid into the treasury of the county or city in which the offense for which warrant issued was committed, and the other one-half of such fees shall be paid by such clerk on his monthly remittance into the state treasury.

B. Notwithstanding the provisions of subsection A, fines collected for violations of city, town or county ordinances shall be paid promptly to the clerk of the circuit court who shall tender such collected fines on a monthly basis as follows:

1. Eighty percent of fines generated by the sheriff or a deputy sheriff shall be paid directly to the city, town or county whose ordinance has been violated, and ~~not to the state treasury~~. 20 percent of fines generated by the sheriff or a deputy sheriff shall be paid to the state treasury for deposit in the Deputy Sheriff Supplemental Salary Fund pursuant to § 15.2-1609.7:1; and

2. All fines collected for violations of the laws of the Commonwealth shall be paid promptly to the clerk of the circuit court who shall pay the same into the state treasury.

C. The word "fees" as used in this section shall include all moneys from every source, exclusive of monthly bank charges, and except collections for child support or support for a spouse or parent, including by way of illustration, but not limited to, the fees collected pursuant to §§ 15.2-1627.3, 16.1-69.48:1, 18.2-268.1 through 18.2-268.12, 18.2-271.1, 19.2-163, 19.2-368.18, 29.1-551, 46.2-383, 46.2-1135, 46.2-1137 and 46.2-1138.1.

INTRODUCED

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