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HOUSE BILL NO. 1074

Offered January 22, 1996

A BILL to amend and reenact § 16.1-69.48 of the Code of Virginia, as it is currently effective and as it may become effective, relating to fees and fines.

Patron—Jackson

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.48 of the Code of Virginia, as it is currently effective and as it may become effective, is amended and reenacted as follows:

§ 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, *without a surcharge*, 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) Fines collected for violations of city, town or county ordinances shall be paid promptly, *without a surcharge*, to the clerk of the circuit court who shall pay monthly into the treasury of the city, town or county whose ordinance has been violated. All fines collected for violations of the laws of the Commonwealth shall be paid promptly, *without a surcharge*, 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, 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 §§ 14.1-121, 14.1-123, 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.

§ 16.1-69.48. (Delayed effective date) 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 family court shall be paid promptly, *without a surcharge*, 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 the 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) Fines collected for violations of city, town or county ordinances shall be paid promptly, *without a surcharge*, to the clerk of the circuit court who shall pay monthly into the treasury of the city, town or county whose ordinance has been violated. All fines collected for violations of the laws of the Commonwealth shall be paid promptly, *without a surcharge*, 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, except appeal bonds posted in cases being appealed to the Court of Appeals and 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 §§ 14.1-121, 14.1-123, 14.1-135.1, 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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