

2007 SESSION

INTRODUCED

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SENATE BILL NO. 828

Offered January 10, 2007

Prefiled January 5, 2007

A BILL to amend and reenact § 19.2-46.1 of the Code of Virginia, relating to magistrate salaries; local fee.

Patron—Devolites Davis

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-46.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-46.1. Salaries to be fixed by Committee on District Courts; limitations; mileage allowance.

Salaries of magistrates and any other personnel in the office of the magistrate shall be fixed by the Committee on District Courts established pursuant to § 16.1-69.33. Such salaries shall be fixed by the Committee at least annually at such time as it deems proper and as soon as practicable thereafter certified to the Comptroller and the Executive Secretary of the Supreme Court.

In addition to the salary authorized by this section, a magistrate may be reimbursed by the county or city for reasonable mileage expenses actually incurred in the performance of his duties.

In determining the salary of any magistrate, the Committee shall consider the work load of and territory and population served by the magistrate and such other factors it deems relevant. It may require of any magistrate or district judge information on the operation of the office of the magistrate.

The governing body of any county or city may add to the fixed compensation of magistrates such amount as the governing body may appropriate with the total amount not to exceed ~~fifty percent~~ 50% of the amount paid by the Commonwealth to magistrates. *Any county or city, through its governing body, may assess a sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit court in which the defendant is convicted of a violation of any statute or ordinance. Proceeds of these assessments shall be used to add to the fixed compensation of magistrates.* No additional amount paid by a local governing body shall be chargeable to the Executive Secretary of the Supreme Court, nor shall it remove or supersede any authority, control or supervision of the Executive Secretary or Committee on District Courts.

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