

H. B. 4291

(BY DELEGATES MILEY, FRAZIER,
LONGSTRETH, BARILL AND MANCHIN)
[BY REQUEST OF THE SUPREME COURT OF APPEALS]

[Introduced January 25, 2012; referred to the
Committee on the Judiciary.]

A BILL to amend and reenact §51-8-8 of the Code of West Virginia,
1931, as amended, relating to county law libraries operated by the
Supreme Court of Appeals.

Be it enacted by the Legislature of West Virginia:

That §51-8-8 of the Code of West Virginia, 1931, as amended, be
amended and reenacted to read as follows:

ARTICLE 8. STATE AND COUNTY LAW LIBRARIES; LAW CLERKS.

§51-8-8. Authority to establish county law libraries; under control of circuit judge; rules. and regulations

1 ~~In addition to all other powers and duties now conferred~~
2 ~~by law upon~~ The Supreme Court of Appeals ~~and the circuit~~

3 ~~courts, such courts are hereby authorized and empowered~~
4 ~~to~~ may establish county law libraries which ~~shall be~~ once
5 established, are wholly under the ~~control and~~ management
6 of the circuit judge, with the assistance of the circuit clerk.
7 The Supreme Court of Appeals may determine the
8 appropriate number of law libraries that will be in operation
9 as well as the location of the libraries and may expend
10 funds for the purchase of books or other expenses necessary
11 ~~to~~ for the operation of the county law ~~library~~ libraries.

12 All county law libraries ~~presently in existence~~ in
13 operation shall be continued and kept current and the cost
14 ~~thereof of the libraries,~~ other than for provision of adequate
15 space, shall be borne by the state and ~~charged against~~ paid
16 from the judicial ~~accounts thereof~~ branch appropriation.
17 ~~Such~~ The county libraries shall be available for use by the
18 public subject to ~~such~~ reasonable rules as may be adopted
19 by the circuit judge. County commissions shall provide
20 adequate space for ~~such~~ the county libraries.

NOTE: The purpose of this bill is to authorize the Supreme Court of Appeals to determine which county law libraries are being used and should be continued as an obligation of the state.

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