

Senate Bill No. 473

(By Senators Palumbo, Laird, Tucker, Edgell, Wills, Yost and
Klempa)

[Introduced February 1, 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.**

~~In addition to all other powers and duties now conferred by
law upon The Supreme Court of Appeals and the circuit courts, such
courts are hereby authorized and empowered to may establish county
law libraries which shall be once established, are wholly under the~~

1 ~~control and~~ management of the circuit judge, with the assistance of
2 the circuit clerk. The Supreme Court of Appeals may determine the
3 appropriate number of law libraries that will be in operation as
4 well as the location of the libraries and may expend funds for the
5 purchase of books or other expenses necessary ~~to~~ for the operation
6 of the county law ~~library~~ libraries.

7 All county law libraries ~~presently in existence~~ in operation
8 shall be continued and kept current and the cost ~~thereof~~ of the
9 libraries, other than for provision of adequate space, shall be
10 borne by the state and ~~charged against~~ paid from the judicial
11 ~~accounts thereof~~ branch appropriation. ~~Such~~ The county libraries
12 shall be available for use by the public subject to ~~such~~ reasonable
13 rules as may be adopted by the circuit judge. County commissions
14 shall provide 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. This bill is requested by the Supreme Court of Appeals Administrative Office.

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