## WEST VIRGINIA LEGISLATURE

**REGULAR SESSION, 1959** 

## ENROLLED

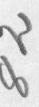
SENATE BILL NO. 82

(By Mr. Martin)

PASSED Feb. 24 1959
In Effect From Passage

of West Virginia

JOE F. BURDETT
SECRETARY OF STATE



## ENROLLED Senate Bill No. 82

(By Mr. MARTIN)

[Passed February 24, 1959; in effect from passage.]

AN ACT to amend article one, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section designated section seventeen, relating to legal actions or proceedings in which a member of the Legislature may be a party, witness or attorney.

Be it enacted by the Legislature of West Virginia:

That article one, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section designated section seventeen, to read as follows:

Section 17. Members Not Required to Attend Court

2 Before, During or After Sessions.—No member of the

Legislature, without his consent, may be required to appear in any action or proceeding in any court of the state of West Virginia and/or any court sitting in said state as a party, witness or attorney within ten days immediately 6 before, at any time during any session of the Legislature, and within thirty days thereafter. Any sentence, judgment, order or decree made contrary to the provisions of 9 10 this section, in any action or proceeding without the con-11 sent of such member of the Legislature who is a party or 12 attorney therein, if in a court having regular terms, shall be set aside upon the application by motion of any party 13 to the action or proceeding or by the attorney of such 1415 party, if made at the next regular term of such court com-16 mencing after the adjournment of such session of the Legislature: and, if in a court not having regular terms 17 or by a justice of the peace, shall be set aside upon such 18 application if made within thirty days next following 19 such adjournment. Such sentences, judgments, orders and 20 decrees shall not be invalid by reason of the provision 21 22 hereof until and unless set aside in the manner and within 23 the time limits herein prescribed.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman Senate Committee
Chairman Senate Committee
Endow Andrews Chairman House Committee
Originated in the Senate.
Takes effect FROM passage.
Clerk of the Senate
(ABlankenshipe
Clerk of the House of Delegates
Nalph Bean
President of the Senate
N. R. Pauley.
Speaker House of Defegates
The within approved this the 4th
day of March, 1959.
Governor