WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED
SENATE BILL NO. 82

(By Mr. Martin)

PASSED Feb. 24 1959

In Effect From Passage

Filed in Office of the Secretary of State of West Virginia MAR 4 1959
JOE F. BURDETT SECRETARY OF STATE
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 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 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 this section, in any action or proceeding without the consent of such member of the Legislature who is a party or attorney therein, if in a court having regular terms, shall be set aside upon the application by motion of any party to the action or proceeding or by the attorney of such party, if made at the next regular term of such court commencing after the adjournment of such session of the Legislature; and, if in a court not having regular terms or by a justice of the peace, shall be set aside upon such application if made within thirty days next following such adjournment. Such sentences, judgments, orders and decrees shall not be invalid by reason of the provision hereof until and unless set aside in the manner and within the time limits herein prescribed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

[Signature]

Chairman House Committee

[Signature]

Originated in the Senate.

Takes effect From passage.

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker House of Delegates

[Signature]

The within approved this the 4th day of March, 1959.

Governor

[Signature]