

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1961

ENROLLED

SENATE BILL NO. 168

(By Mr. James G. McCarigan

PASSED February 27th 1961

In Effect March 8, 1961

Passage

Filed in Office of the Secretary of State

of West Virginia March 8, 1961

JOE F. BURDITT
SECRETARY OF STATE

ENROLLED

Senate Bill No. 168

(By MR. DAVIS and MR. CARRIGAN)

[Passed February 27, 1961; in effect ninety days from passage.]

AN ACT to amend and reenact section eight-a, article eight, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the reproduction of checks and other banking records, the use as evidence thereof, and the destruction thereof.

Be it enacted by the Legislature of West Virginia:

That section eight-a, article eight, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 8-a. *Reproduction of Checks and other Banking
2 Records; Introduction into Evidence Thereof; Destruction
3 Thereof.*—Any banking institution transacting business in

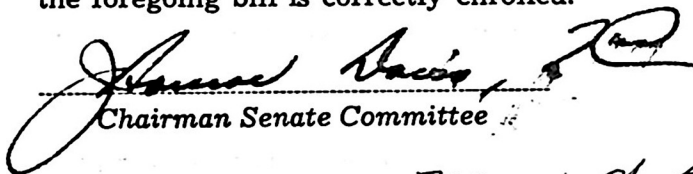
4 this state may cause to be copied or reproduced by any
5 photographic, photostatic, micro-photographic or other
6 miniature photographic process, all or any number of its
7 checks, and all or any part of its documents, books, rec-
8 ords, correspondence and all other instruments, papers
9 and writings, in any manner relating to the operation of
10 its business, other than its notes, bonds, mortgages and
11 other securities and investments, and may substitute such
12 copies or reproductions either in positive or negative form
13 for the original thereof. Thereafter, such copy or repro-
14 duction, in the form of a positive print thereof, shall be
15 deemed for all purposes to be an original counterpart of
16 and shall have the same force and effect as the original
17 thereof and shall be admissible in evidence in all courts
18 and administrative agencies in this state, to the same
19 extent, and for the same purposes as the original thereof,
20 and the banking institution may destroy or otherwise dis-
21 pose of the original: *Provided, however,* That every bank-
22 ing institution shall retain either the originals or such
23 copies or reproductions of its records of final entry, in-
24 cluding cards used under the card system and deposit

25 tickets for deposits made, for a period of at least six years
26 from the date of the last entry on such books or the date
27 of making of such deposit tickets and card records, or, in
28 the case of a banking institution exercising trust or fiduci-
29 ary powers, until the expiration of six years from the date
30 of termination of any trust or fiduciary relationship by the
31 allowance of a final accounting, release, court decree or
32 other proper means of termination.

33 All circumstances surrounding the making or issuance
34 of such checks, documents, books, records, correspondence
35 and other instruments, papers or writings, or the photo-
36 graphic, photostatic or micro-photographic copies or re-
37 productions thereof, when the same are offered in evi-
38 dence, may be shown to affect the weight but not the ad-
39 missibility thereof.

40 Any device used to copy or reproduce such documents
41 and records shall be one which correctly and accurately
42 reproduces the original thereof in all details and film used
43 therein shall be of durable material.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

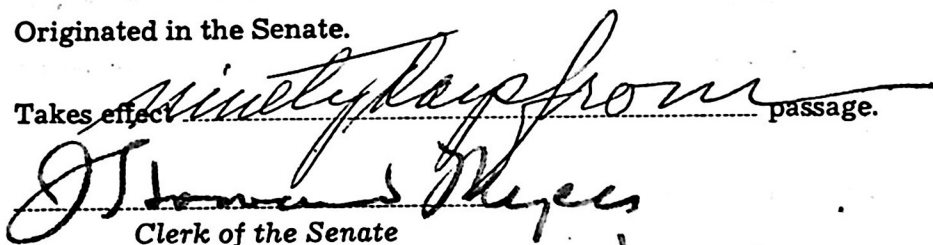

Chairman Senate Committee

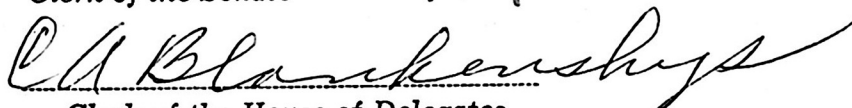

Chairman House Committee


Originated in the Senate.

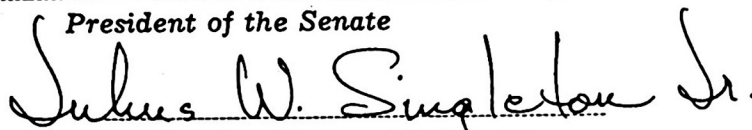
Takes effect

passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the eight
day of March, 1961.


Governor

