WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 132

(By Mr. Miller)

PASSED February 7, 1968

In Effect from Passage

FED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68
AN ACT to amend article six, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-six-a, relating to the settling, signing and certifying of bills of exceptions and certificates in lieu thereof when the trial judge is physically or mentally incapable of discharging the duties of his office or when a vacancy exists in such office.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. TRIAL.

§56-6-36a. Settling, signing and certifying of a bill of exceptions or certificate in lieu thereof by judge other than judge before whom case was tried.

1 In the event of the death or expiration of the term of office or a vacancy in the office for any other cause of, the judge before whom a case was tried, or in the event the trial judge becomes physically or mentally incapable of discharging the duties of his office, a bill of exceptions as provided for by section thirty-five of this article or a certificate in lieu of a bill of exceptions as provided for by section thirty-six of this article may be settled, signed and certified by the successor in the office of such judge or by any other judge authorized in such case to perform the duties of the judge of such court, and any bill of exceptions or certificate in lieu of a bill of exceptions signed and certified as aforesaid shall have the same effect as if signed and certified by the judge before whom such case was tried.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

*William Tompkins*
Chairman Senate Committee

*Clayton L. Davidson*
Chairman House Committee

Originated in the Senate.

To take effect from passage.

*J. Howard Meyer*
Clerk of the Senate

*C. Blankenship*
Clerk of the House of Delegates

*Howard C. Carson*
President of the Senate

*A. Lamar White*
Speaker House of Delegates

The within approved this the 1st

day of February, 1968.

*Helen C. Smith*
Governor
PRESENTED TO THE
GOVERNOR

Date  7/17/68
Time  3:00 P.M.