WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

HOUSE BILL No. 525

(By Mr. QUEEN)

PASSED MARCH 13, 1971

In Effect NINETY DAYS FROM PASSAGE

[Signature]
AN ACT to amend and reenact section three, article two, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to grand juries.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. GRAND JURIES.


1 The clerk of any court requiring a grand jury shall,

2 at least thirty days before the term of court, summon

3 the jury commissioners to attend at his office at a day
specified, which shall not be less than twenty days before such term, and select persons for the grand jury, but the court, or judge thereof, may require such jury commissioners to appear forthwith, or at any specified time, and select grand jurors for either a regular, special or adjourned term of court. On the day appointed, the jury commissioners shall appear and draw the names of sixteen persons from the grand jury box, and the persons so drawn shall constitute the grand jury, and at the same time the jury commissioners shall draw the names of six additional persons from the grand jury box, and the persons so drawn shall constitute alternate jurors for the grand jury, and the judge may replace any absent members of the grand jury from among the alternate grand jurors. If when drawing the ballots it shall appear to the commissioners that any person so drawn is dead, or for any reason disqualified or unable to serve, they shall destroy the ballot and cancel the name on the list and draw another in such person's stead. They shall enter the names of all persons so drawn in a book kept for that purpose and deliver a list thereof to the clerk,
who shall issue a summons for the persons drawn, di-
rected to the sheriff of the county requiring him to sum-
mon them to appear on the day required and serve as
grand jurors. The provisions of article one of this chap-
ter relating to the drawing and summoning of petit
jurors and drawing ballots and cancellation and marking
thereof, so far as applicable and not inconsistent with
the provisions of this article, shall be observed and govern
the selection of a grand jury, except in that the ballots
shall be drawn from the several envelopes in proportion
as near as may be to the numbers endorsed thereon, but
so that at least one ballot shall be drawn from each
everse.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 1st day of April, 1971.

Governor