WEST VIRGINIA LEGISLATURE REGULAR SESSION, 1971

ENROLLED

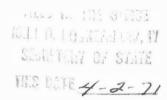
HOUSE BILL No. 545

(By Mr. QUEEN)

PASSED MARCH 13 1971

In Effect Navery Pars From Passage





House Bill No. 525

(By Mr. Queen)

[Passed March 13, 1971; in effect ninety days from passage.]

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.

§52-2-3. Summoning jury commissioners; selection and summoning of jurors.

- 1 The clerk of any court requiring a grand jury shall,
- 2 at least thirty days before the term of court, summon
- ${f 3}$ the jury commissioners to attend at his office at a day

4 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 six-10 11 teen 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 13 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 17 members of the grand jury from among the alternate grand jurors. If when drawing the ballots it shall 19 appear to the commissioners that any person so drawn 20 is dead, or for any reason disqualified or unable to serve, they shall destroy the ballot and cancel the name on the 22 list and draw another in such person's stead. They shall 23 enter the names of all persons so drawn in a book kept

24 for that purpose and deliver a list thereof to the clerk,

25 who shall issue a summons for the persons drawn, directed to the sheriff of the county requiring him to summon them to appear on the day required and serve as 28 grand jurors. The provisions of article one of this chapter relating to the drawing and summoning of petit 30 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 37 envelope.

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

Mussell It- Beall
Chairman Senate Committee
The lie Activities Committee Chairman House Committee
Originated in the House.
Takes effect ninety days from passage.
Clerk of the Senate
Clerk of the Senate
I UBlankensleye
Clerk of the House of Delegates
E. Haw Me Louise President of the Senate
President of the Senate
Lewis N. Mc Manus
Speaker House of Delegates
The within approved this the
day of Upril , 1971.
archa Mane In
Governor

PRESENTED TO THE GOVERNOR

Dato 3/18/7/ Time 1:55p.m.

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