WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

ENROLLED
SENATE BILL NO. 43

(By Mr. Steptoe)

PASSED March 4, 1981
In Effect ninety days from Passage
ENROLLED

Senate Bill No. 43
(By Mr. Steptoe)

[Passed March 4, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article two, chapter fifty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the admission into evidence of handwriting for comparison with disputed writing; and eliminating the requirement that handwriting exemplars be taken under the supervision of a circuit judge.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. WRITINGS AND STATEMENTS OF PRIVATE PERSONS.

§57-2-1. Writing in handwriting of alleged writer may be used for comparison.

In any civil or criminal action or proceeding, any writing proved to the satisfaction of the judge of a court of record in an in-camera hearing to be in the handwriting of the person who is alleged to have written it, whether or not made in the ordinary course of business, may, if the court further finds that its probative value outweighs its prejudicial effect, be admitted into evidence for the purpose of making a comparison with a disputed writing on the issue of whether or not the disputed writing is genuine. The authenticity of each writing shall be finally determined by the trier of fact.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Clerk of the Senate

Walter McSweeney
Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill approved this the 15th day of March, 1981.

Governor