

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-18-81

Time 5:00 p.m.

No: 43

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981



ENROLLED

SENATE BILL NO. 43

(By Mr. Stephoe)



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.

1 In any civil or criminal action or proceeding, any writing
2 proved to the satisfaction of the judge of a court of record in
3 an in-camera hearing to be in the handwriting of the person
4 who is alleged to have written it, whether or not made in the
5 ordinary course of business, may, if the court further finds
6 that its probative value outweighs its prejudicial effect, be
7 admitted into evidence for the purpose of making a
8 comparison with a disputed writing on the issue of whether
9 or not the disputed writing is genuine. The authenticity of
10 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.

[Handwritten Signature]
Chairman Senate Committee

[Handwritten Signature]
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

[Handwritten Signature]
Clerk of the Senate

[Handwritten Signature]
Clerk of the House of Delegates

[Handwritten Signature]
President of the Senate

[Handwritten Signature]
Speaker House of Delegates

The within *is approved* this the *18*

day of *March*, 1981.

[Handwritten Signature]
Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE