

Date 3-8-82



ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1223
(By MR. ALBRIGHT)

[Passed February 25, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-seven, article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to allowing the reporter of the West Virginia supreme court of appeals or the West Virginia supreme court of appeals to direct the number of copies of the reports of the decisions of the supreme court of appeals to be published; providing for the greater number of copies directed to be published if the reporter and the supreme court of appeals do not agree as to the number of copies to be specified in the publication contract; and providing that in no case shall the number of copies published exceed one thousand five hundred.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. PURCHASING DIVISION.

§5A-3-27. Publication of reports of supreme court of appeals.

1 Notwithstanding any of the provisions of this article, the

2 official reporter of the supreme court of appeals shall have
3 charge and supervision of the printing and binding of the
4 reports of the decisions of the supreme court of appeals of
5 the state, and shall contract for their publication in the same
6 manner that the director of the purchasing division contracts
7 under sections eleven through twenty-one of this article. Such
8 contract shall provide for the publication of such number of
9 copies as the reporter and the supreme court of appeals may
10 jointly direct. If the reporter and the supreme court of appeals
11 do not agree on the number of copies for which the publica-
12 tion contract shall provide, the contract shall provide for the
13 publication of the greater number of copies directed by either
14 the reporter or the supreme court of appeals. In no event shall
15 the number of copies published exceed one thousand five
16 hundred. Copies of the reports of the decisions of the supreme
17 court of appeals shall be on such paper and be bound in ac-
18 cordance with directions and specifications specified by the
19 reporter by and with the concurrence of the court. The size of
20 type and page shall be prescribed by the reporter with the
21 concurrence of the court. A volume shall be published accord-
22 ing to the terms of the contract whenever ordered by the
23 court. The reporter shall secure the copyright of each volume
24 for the benefit of the state. The reports shall be styled "West
25 Virginia Reports."

26 The printing and binding of the reports shall be done under
27 the direction of and in the manner prescribed by the reporter,
28 subject to the control of the court. The reporter shall prefix
29 to the printed report of each case the dates when the same
30 was submitted and decided. Each volume shall, if practicable,
31 contain the reports of at least eighty cases decided by the court,
32 and shall contain approximately one thousand pages unless
33 otherwise ordered by the court, exclusive of the index and table
34 of cases reported and cited. Proof sheets shall be furnished by
35 the printer to the reporter and to each judge of the court, and
36 such corrections and modifications shall be made by the print-
37 er as the reporter or any of the judges shall direct. If the work
38 is not done in the manner required by law, the reporter shall
39 not approve the volume and shall not accept it.

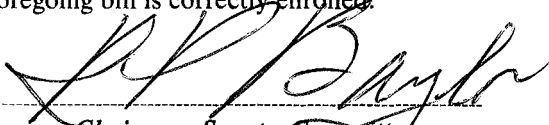
40 The reports of the decisions of the supreme court of appeals

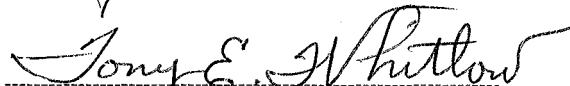
41 may be published in pamphlet form in advance of the pub-
42 lication of the bound volumes of the "West Virginia Reports,"
43 periodically, or at such times as may be directed by the report-
44 er and the supreme court of appeals. The reporter shall secure
45 the copyright of each pamphlet of opinions so published in
46 advance. Each pamphlet shall contain the report of such numb-
47 er of cases as the supreme court of appeals and the reporter
48 shall deem advisable.

49 The contract for the publication of such advance sheets
50 shall be made in the manner provided for the publication of
51 bound volumes of the "West Virginia Reports."

52 A charge of not less than the actual cost of printing and
53 distribution shall be made for such advance sheets.

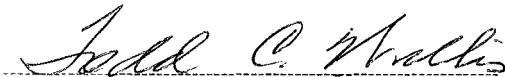
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

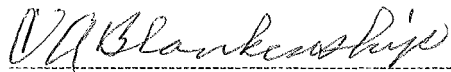

Chairman Senate Committee

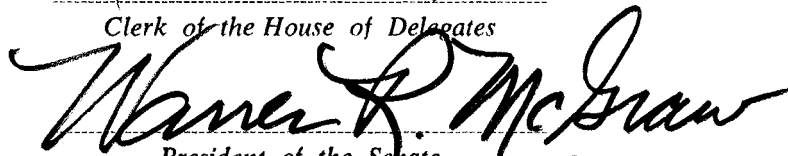

Chairman House Committee

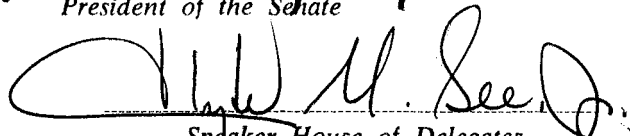
Originating in the House.

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 is approved this the 8
day of March, 1982.


Governor

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SECY. OF STATE