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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



# ENROLLED

HOUSE BILL No. 1811

(By Mr. Allbright)



Passed March 12, 1983

In Effect Ninety Days From Passage



**ENROLLED**

**H. B. 1811**

(By MR. ALBRIGHT)

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[Passed March 12, 1983; in effect ninety days from passage.]

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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 the publication of the reports of the supreme court of appeals; the duties of the attorney general as official reporter with respect thereto; and providing for procedures for corrections and modifications to be made with respect to the proof sheets preparatory to the publication of such reports.

*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 re-  
4 ports of the decisions of the supreme court of appeals of the  
5 state, and shall contract for their publication in the same man-  
6 ner that the director of the purchasing division contracts under  
7 sections eleven through twenty-one of this article. Such contract  
8 shall provide for the publication of such number of copies as  
9 the reporter and the supreme court of appeals may jointly di-  
10 rect. If the reporter and the supreme court of appeals do not

11 agree on the number of copies for which the publication con-  
12 tract shall provide, the contract shall provide for the publication  
13 of the greater number of copies directed by either the reporter  
14 or the supreme court of appeals. In no event shall the number of  
15 copies published exceed one thousand five hundred. Copies of  
16 the reports of the decisions of the supreme court of appeals  
17 shall be on such paper and be bound in accordance with  
18 directions and specifications specified by the reporter by and  
19 with the concurrence of the court. The size of type and page  
20 shall be prescribed by the reporter with the concurrence of  
21 the court. A volume shall be published according to the terms  
22 of the contract whenever ordered by the court. The reporter  
23 shall secure the copyright of each volume for the benefit  
24 of the state. The reports shall be styled "West Virginia  
25 Reports."

26 The printing and binding of the reports shall be done under  
27 the direction of and in the manner prescribed by the re-  
28 porter, subject to the control of the court. The reporter shall  
29 prefix to the printed report of each case the dates when  
30 the same was submitted and decided. Each volume shall, if  
31 practicable, contain the reports of at least eighty cases decided  
32 by the court, and shall contain approximately one thousand  
33 pages unless otherwise ordered by the court, exclusive of the  
34 index and table of cases reported and cited. Galley sheets or  
35 proof sheets shall be furnished by the printer to the reporter  
36 in such number as may be required by the reporter for the pur-  
37 poses of this section. It shall be the duty of the reporter to  
38 proof such galley sheets or proof sheets against the various  
39 cases, including the court's syllabi, as such cases and the  
40 court's syllabi appear in the most recent bound volume of the  
41 appropriate regional reporter in which such cases are reported.  
42 Neither galley sheets nor proof sheets need be submitted to the  
43 court or the clerk thereof for any purpose. Thereafter the re-  
44 porter shall make such corrections and modifications as he  
45 shall deem appropriate and all such corrections and modifica-  
46 tions shall be made by the printer as the reporter may direct.  
47 If the work is not done in the manner required by law, the  
48 reporter shall not approve the volume and shall not accept it.

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

50 may be published in pamphlet form in advance of the publica-  
51 tion of the bound volumes of the "West Virginia Reports,"  
52 periodically, or at such times as may be directed by the report-  
53 er and the supreme court of appeals. The reporter shall secure  
54 the copyright of each pamphlet of opinions so published in  
55 advance. Each pamphlet shall contain the report of such numb-  
56 er of cases as the supreme court of appeals and the reporter  
57 shall deem advisable.

58 The contract for the publication of such advance sheets  
59 shall be made in the manner provided for the publication of  
60 bound volumes of the "West Virginia Reports."

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

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

*Harrell E. Bell*  
Chairman Senate Committee

*Donald Anello*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Todd C. White*  
Clerk of the Senate

*Donald L. Hupp*  
Clerk of the House of Delegates

*Waverly McNew*  
President of the Senate

*W. M. See, Jr.*  
Speaker House of Delegates

The within *is approved* this the *27*  
day of *March*, 1983.

*Robert R. Bell*  
Governor

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SECY. OF STATE