WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED
Committee Substitute for
SENATE BILL NO. 555

(By Mr. )

PASSED April 12, 1985
In Effect ninety days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 555
(MR. TONKOVICH, MR. PRESIDENT, original sponsor)

(Originating in the Committee on the Judiciary.)

[Passed April 12, 1985; in effect ninety days from passage.]

AN ACT to amend and reenact section eleven, article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public libraries; willful retention of library property; providing criminal penalties; and liability of parents.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. PUBLIC LIBRARIES.


1 Any person who willfully retains a book, newspaper,
2 plate, picture, photograph, engraving, painting, drawing,
3 map, magazine, document, letter, public record, microfilm,
4 sound recording, audio visual materials in any format,
5 magnetic or other tapes, artifacts or other documentary
6 (written or printed) materials, or all materials of any
7 kind whatsoever belonging to any public library for
8 thirty days after the mailing date of a written notice
9 demanding the return of said material and giving notice
of said violation, forwarded to that person's last known address, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than two hundred dollars:

Provided, That a date or dates designating a grace period for the return of library materials to public libraries shall be established, said dates to be established by the state library commission pursuant to rules and regulations promulgated thereto.

A conviction or payment of any fine shall not be construed to constitute payment for library material, nor shall a person convicted under this section be thereby relieved of any obligation to return to the library such material. Further, a conviction or payment of any fine shall not be construed as a waiver of any nominal daily fine which may be imposed by library rules, regulations or policies.

The parent or guardian of a minor who willfully commits any act prohibited by this section shall be liable for all damages so caused by the minor up to the amount of two thousand five hundred dollars, after the parent or guardian is served with proper written notice as aforesaid.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In 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 approved this the 22nd day of April, 1985.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/17/55
Time 4:59 p.m.