

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



# ENROLLED

Com. Sub. for  
**HOUSE BILL No.** 4579

(By Mr. Speake, Mr. Charles )



Passed March 9, 1990

In Effect 90 Days from Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 4579**  
(By MR. SPEAKER, MR. CHAMBERS)

[Passed March 9, 1990; in effect ninety days from passage.]

AN ACT to amend article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-two, relating to public libraries; and the confidential nature of certain library records.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-two, to read as follows:

**ARTICLE 1. PUBLIC LIBRARIES.**

**§10-1-22. Confidential nature of certain library records.**

1     (a) Circulation and similar records of any public  
2     library in this state which identify the user of library  
3     materials are not public records but shall be confiden-  
4     tial and may not be disclosed except:

5     (1) To members of the library staff in the ordinary  
6     course of business;

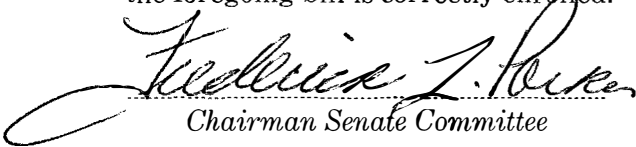
7     (2) Upon written consent of the user of the library  
8     materials or the user's parents or guardian if the user

9 is a minor or ward; or

10 (3) Upon appropriate court order or subpoena.

11 (b) Any disclosure authorized by subsection (a) of this  
12 section or any unauthorized disclosure of materials  
13 made confidential by that subsection (a) does not in any  
14 way destroy the confidential nature of that material,  
15 except for the purpose for which an authorized disclo-  
16 sure is made. A person disclosing material as authorized  
17 by subsection (a) of this section is not liable therefor.

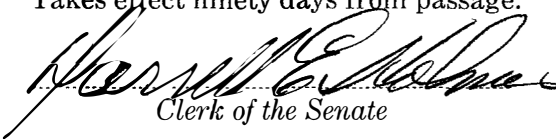
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

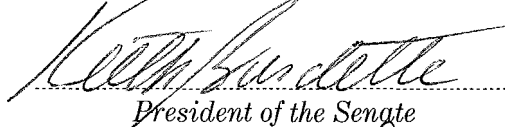
  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

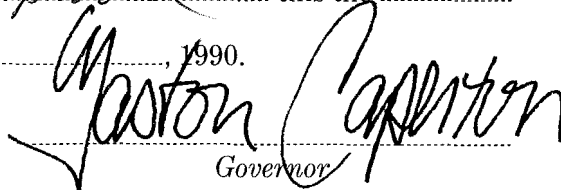
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 30<sup>th</sup>  
day of March, 1990.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/28/90

Time 2:10 PM

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