

1999 SESSION

INTRODUCED

994603661

SENATE BILL NO. 748

Offered January 13, 1999

Prefiled January 11, 1999

A BILL to amend and reenact § 42.1-70 of the Code of Virginia, relating to law library assessment.

Patron—Gartlan

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 42.1-70 of the Code of Virginia is amended and reenacted as follows:

§ 42.1-70. Assessments for law library as part of costs in civil, criminal and traffic actions; contributions from bar associations.

Any county, city or town may, through its governing body, assess, as part of the costs incident to each civil action filed in the courts located within its boundaries, a sum not in excess of four dollars. Any county, city or town located in the Northern Virginia Planning District may also, through its governing body, assess against the defendant, as part of the costs incident to a conviction in each traffic and criminal case in the courts located within its boundaries, a sum not in excess of four dollars.

The imposition of such ~~assessment~~ assessments shall be by ordinance of the governing body, which ordinance may provide for different sums in circuit courts and district courts, ~~and the assessment.~~ The assessments shall be collected by the clerk of the court in which the action is filed, and remitted to the treasurer of such county, city or town, and held by such treasurer subject to disbursements by the governing body for the acquisition of law books, law periodicals and computer legal research services and equipment for the establishment, use and maintenance of a law library which shall be open for the use of the public at hours convenient to the public. In addition to the acquisition of law books, law periodicals and computer legal research services and equipment, the disbursements may include compensation to be paid to librarians and other necessary staff for the maintenance of such library and acquisition of suitable quarters for such library. The compensation of such librarians and the necessary staff and the cost of suitable quarters for such library shall be fixed by the governing body and paid out of the fund created by the imposition of such ~~assessment~~ of cost assessments. Such libraries, pursuant to rules of the Supreme Court and at costs to such libraries, may have access to computer research services of the State Law Library. Disbursements may be made to purchase or lease computer terminals for the purpose of retaining such research services. The *civil case* assessment provided for herein shall be in addition to all other costs prescribed by law, but shall not apply to any action in which the Commonwealth or any political subdivision thereof or the federal government is a party and in which the costs are assessed against the Commonwealth, political subdivision thereof, or federal government. The governing body is authorized to accept contributions to the fund from any bar association.

Any such library established in the County of Wythe shall be located only in a town which is the seat of the county government.

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