

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

ENROLLED

Committee Substitute for

HOUSE BILL No. *96*

Originating in the House Judiciary Committee

(By Mr. _____)

PASSED

March 9th

1945

In Effect

90 days from

Passage

3-15

96

ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 96

(Originating in the House Judiciary Committee)

[Passed March 9, 1945; in effect ninety days from passage.]

AN ACT to amend and reenact section twelve, article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the allowance for expenses of the sheriff in the keeping, feeding and transporting of prisoners, and in the serving of summonses, notices and other official papers.

Be it enacted by the Legislature of West Virginia:

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

Section 12. *Allowance for Expenses of Sheriff.*—The
2 county court, or tribunal in lieu thereof, of every county
3 shall in addition to the salary herein provided allow to
4 the sheriff for keeping and feeding each prisoner, other
5 than federal prisoners or prisoners held under civil

6 process as provided by law, an amount to be computed in
7 accordance with the following schedule, based on the
8 population figures appearing in the latest official cen-
9 sus:

10 (1) In counties having a population of more than
11 seventy-five thousand, forty-seven cents per day while
12 such prisoner is actually in jail, and fifty-seven cents
13 per day while such prisoner is working outside the jail
14 under the authority of the county court.

15 (2) In counties having a population of more than thirty-
16 five thousand but not more than seventy-five thousand,
17 fifty-two cents per day while such prisoner is actually in
18 jail, and sixty-two cents per day while such prisoner is
19 working outside the jail under the authority of the
20 county court.

21 (3) In counties having a population of more than
22 twenty thousand but not more than thirty-five thousand,
23 fifty-seven cents per day while such prisoner is actually
24 in jail, and sixty-seven cents per day while such prisoner
25 is working outside the jail under the authority of the
26 county court.

27 (4) In counties having a population of twenty thou-
28 sand or less, sixty-two cents per day while such prisoner
29 is actually in jail, and seventy-two cents per day while
30 such prisoner is working outside the jail under the author-
31 ity of the county court.

32 The limitation per day shall not include cost of per-
33 sonal service, bed or bedding, soaps and disinfectants and
34 items of like kind, the cost of all of which shall be paid
35 out of the allowance fixed by the county court under the
36 provisions of present law. All supplies of whatever kind
37 for keeping and feeding prisoners shall be purchased upon
38 the requisition of the sheriff under such rules and regu-
39 lations as may be prescribed by the county court. At
40 the end of each month the sheriff shall file with the
41 county court a detailed statement showing the name of
42 each prsoner, date of commitment and date of discharge,
43 and number of days in jail, and shall also file an itemized
44 statement showing each purchase and the cost thereof
45 for keeping and feeding prisoners.

46 The county court shall allow the actual and necessary
47 expenses incurred or expended in arresting, pursuing or

48 transporting persons accused or convicted of crimes and
49 offenses, and in conveying or transferring to or from any
50 state institution to which any person may be committed
51 from his county, where by law the sheriff is authorized
52 to convey or transfer such person, and may allow the
53 actual and necessary expenses incurred or expended in
54 serving summonses, notices and other official papers in
55 connection with the sheriff's office. The amount of such
56 expenses so allowed, however, shall not in the aggregate
57 exceed the total fees earned by the sheriff for any year
58 for serving such papers. Every sheriff shall file monthly,
59 under oath, a full and accurate account of all his actual
60 and necessary expenses mentioned in this section before
61 payment thereof shall be allowed by the county court:
62 *Provided*, That the allowances to sheriffs for expenses in
63 the keeping of prisoners shall be effective only for two
64 years from the effective date of this act and that there-
65 after said expenses shall be at the rate in effect on the
66 day prior to the effective date of this act.

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

Charles C Morris
Chairman Senate Committee

J. A. DeGruttis Jr.
Chairman House Committee

Originated in the *House*

Takes effect *30 days from*

passage.

Harriet Meigs
Clerk of the Senate

J. A. DeGruttis Jr.
Clerk of the House of Delegates

Arnold M. Pickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within

this the

day of _____, 1945.

Governor.



Filed in the office of the Secretary of State
of West Virginia. MAR 17 1945

Wm. S. O'Keefe,
Secretary of State