ENROLLED

SENATE BILL No. 146

(By Mr. Randolph, Mr. President)

PASSED March 4, 1941

In Effect 90 days from Passage
ENROLLED

Senate Bill No. 146

(By Mr. Randolph, Mr. President)

[Passed March 4, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact section fourteen, article fifteen, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to the commitment of veterans to the Veterans Administration or other agency of the United States Government.

Be it enacted by the Legislature of West Virginia:

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

Article 15. Veterans' Guardianship and Commitment.
Section 14. Commitment to Veterans Administration

or other agency of United States Government. Whenever it appears that a veteran of any war, military occupation or expedition is eligible for care or treatment by the Veterans Administration or other agency of the United States Government, and commitment thereto is necessary for the proper treatment and care of such veteran, the county court, or other tribunal in lieu thereof, of the county in which such person resides, or of the county in which such person is found, if he is not a resident of this state, upon receipt of a certificate from the Veterans Administration or such other agency showing that facilities are available and that such person is eligible for care or treatment therein, may commit such person to the Veterans Administration or other agency of the United States Government for care or treatment. Thereafter, such person, upon admission to any such facility, shall be subject to the rules and regulations of the Veterans Administration or other agency of the United States Government. The chief officer of any such facility or institution to which such person is committed
the same powers now exercised by officials of state hospitals for mental diseases within this state with respect to the retention, transfer, parole or discharge of persons so committed. Notice of such pending commitment proceedings shall be furnished the person whose commitment is sought and his right to appear and defend shall not be denied. The judgment or order of commitment by a court of competent jurisdiction of another state committing a person to the Veterans Administration or other agency of the United States Government for care or treatment, shall have the same force and effect as to such person while in this State as in the state in which is situated the court entering such judgment or making such order.

Upon receipt of a certificate of the Veterans Administration or other agency of the United States Government that facilities are available for the care or treatment of any person heretofore or hereafter committed to any hospital for the insane or other institution in this state for the care of persons similarly afflicted; and that such
person is eligible for care or treatment by the Veterans Administration or other agency of the United States, the superintendent of any such hospital or institution in this state is hereby authorized to cause the transfer of any such person to the Veterans Administration or other agency of the United States Government for care or treatment. Upon effecting any such transfer, the committing court shall be notified thereof by the transferring agency: Provided, however, That no person shall be transferred if he be confined pursuant to conviction of any crime or misdemeanor, or if he shall have been acquitted of any such charge solely on the ground of insanity, unless prior to such transfer the court originally committing such person shall enter an order for such transfer after appropriate motion and hearing.

Any person transferred as provided in this section shall be deemed to be committed to the Veterans Administration or other agency of the United States Government pursuant to the original commitment the same as if he had been originally so committed.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

F. H. McGowan
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

C. W. Woodruff
Clerk of the Senate

J. H. Beveridge
Clerk of the House of Delegates

Byron Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 14th
day of March, 1941.

Matthew Neely
Governor.

Filed in the office of the Secretary of State of West Virginia, MAR 14 1941
Wm. S. O'Brien,
Secretary of State