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
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 county court, or tribunal in lieu thereof, of every county shall in addition to the salary herein provided allow to the sheriff for keeping and feeding each prisoner, other than federal prisoners or prisoners held under civil
process as provided by law, an amount to be computed in accordance with the following schedule, based on the population figures appearing in the latest official census:

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

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

(3) In counties having a population of more than twenty thousand but not more than thirty-five thousand, fifty-seven cents per day while such prisoner is actually in jail, and sixty-seven cents per day while such prisoner is working outside the jail under the authority of the county court.
(4) In counties having a population of twenty thousand or less, sixty-two cents per day while such prisoner is actually in jail, and seventy-two cents per day while such prisoner is working outside the jail under the authority of the county court.

The limitation per day shall not include cost of personal service, bed or bedding, soaps and disinfectants and items of like kind, the cost of all of which shall be paid out of the allowance fixed by the county court under the provisions of present law. All supplies of whatever kind for keeping and feeding prisoners shall be purchased upon the requisition of the sheriff under such rules and regulations as may be prescribed by the county court. At the end of each month the sheriff shall file with the county court a detailed statement showing the name of each prisoner, date of commitment and date of discharge, and number of days in jail, and shall also file an itemized statement showing each purchase and the cost thereof for keeping and feeding prisoners.

The county court shall allow the actual and necessary expenses incurred or expended in arresting, pursuing or
transporting persons accused or convicted of crimes and offenses, and in conveying or transferring to or from any state institution to which any person may be committed from his county, where by law the sheriff is authorized to convey or transfer such person, and may allow the actual and necessary expenses incurred or expended in serving summonses, notices and other official papers in connection with the sheriff's office. The amount of such expenses so allowed, however, shall not in the aggregate exceed the total fees earned by the sheriff for any year for serving such papers. Every sheriff shall file monthly, under oath, a full and accurate account of all his actual and necessary expenses mentioned in this section before payment thereof shall be allowed by the county court: Provided, That the allowances to sheriffs for expenses in the keeping of prisoners shall be effective only for two years from the effective date of this act and that thereafter said expenses shall be at the rate in effect on the 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.R. Betts
Chairman House Committee

Originated in the House

Takes effect upon passage.

Howard Magee
Clerk of the Senate

Clerk of the House of Delegates

Owens W. McFerrin
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.