

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

HOUSE BILL No. 61

(By Mr. Speaker, Mr. Amos)



PASSED February 21 1947

In Effect 90 days from Passage

61

ENROLLED

House Bill No. 61

(By MR. SPEAKER, MR. AMOS, by request)

[Passed February 21, 1947; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and three, article five-a, chapter twenty-eight, of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by chapter one hundred three, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, and to further amend said article by adding thereto two new sections, numbered sections four and five, all relating to the West Virginia medium security prison.

Be it enacted by the Legislature of West Virginia:

That sections two and three, article five-a, chapter twenty-eight, of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by chapter one hundred three, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, be amended and reenacted and that said article

be further amended by adding thereto two new sections, numbered sections four and five, all to read as follows:

Section 2. *Management and Control.* The medium security prison, a state penitentiary, shall be managed, directed, and controlled as provided in chapter twenty-four of this code.

Sec. 3. *Warden; Bond; Duties; Residence.*—The warden shall be the chief executive officer of the medium security prison. He shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall give bond in such sum as the Board of Control may require. His duties shall be fixed by the Board of Control, and shall conform to, as nearly as possible, the duties heretofore assigned to the warden of the West Virginia penitentiary at Moundsville. The warden shall reside in or near the medium security prison.

Sec. 4. *Laws Applicable; Exception.* The laws governing the West Virginia penitentiary at Moundsville shall, as nearly as may be, apply to the medium security prison, except that criminal proceedings against inmates in said

5 medium security prison shall be in the circuit court of the
6 county of Randolph.

Sec. 5. *Transfer of Prisoners.* Upon the request of the
2 warden of the West Virginia Penitentiary or the warden
3 of the medium security prison, the board of control may,
4 in its discretion, order the transfer of prisoners from one
5 institution to the other.

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

Frank Lyman

Chairman Senate Committee

W. M. Mauck

Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

Howard Myers
Clerk of the Senate

James P. [unclear]
Clerk of the House of Delegates

Donald M. Dickers
President of the Senate

John E. [unclear]
Speaker House of Delegates

The within Approved this the 75th
day of Feb, 1947.

Clarence Middleton
Governor.

