

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 292

(By Mr. Bowling & Mr. M. K. Kover)



PASSED March 8, 1947

In Effect from Passage



292

ENROLLED

Senate Bill No. 292

(By MR. BOWLING AND MR. MCKOWN)

[Passed March 8, 1947; in effect 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 the
4 sheriff for keeping and feeding each prisoner, other than
5 federal prisoners or prisoners held under civil process as

6 provided by law, an amount to be computed in accord-
7 ance with the following schedule, based on the population
8 figures appearing in the latest official census:

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

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

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

26 (4) In counties having a population of twenty thou-

27 sand or less, sixty-two cents per day while such prisoner
28 is actually in jail, and seventy-two cents per day while
29 such prisoner is working outside the jail under the au-
30 thority of the county court.

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

45 The county court shall allow the actual and necessary
46 expenses incurred or expended in arresting, pursuing or
47 transporting persons accused or convicted of crimes and

48 offenses, and in conveying or transferring to or from any
49 state institution to which any person may be committed
50 from his county, where by law the sheriff is authorized
51 to convey or transfer such person, and may allow the
52 actual and necessary expenses incurred or expended in
53 serving summonses, notices and other official papers in
54 connection with the sheriff's office. The amount of such
55 expenses so allowed, however, shall not in the aggregate
56 exceed the total fees earned by the sheriff for any year for
57 serving such papers. Every sheriff shall file monthly, un-
58 der oath, a full and accurate account of all his actual and
59 necessary expenses mentioned in this section before pay-
60 ment thereof shall be allowed by the county court: *Pro-*
61 *vided*, That the allowance to sheriffs for expenses in the
62 keeping of prisoners shall be effective only through De-
63 cember thirty-first, one thousand nine hundred forty-
64 eight.

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

Forest L McNeer
Chairman Senate Committee

R. S. Matthews
Chairman House Committee

Originated in the Senate

Takes effect from passage.

Howard Myers
Clerk of the Senate

Ed Ruff
Clerk of the House of Delegates

Arnold M. Vickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within approved this the 13
day of May, 1947.

Clarence Hudson

Governor

Filed in the Office of the Secretary of State
of West Virginia

MAR 13 1947
W. S. O'BRIEN,
SECRETARY OF STATE

