WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED

HOUSE BILL No. 153

(By Mr. Davis)

PASSED February 14, 1951

In Effect Ninety days from Passage
AN ACT to amend and reenact section thirty-one, article five, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to mentally diseased convicts.

Be it enacted by the Legislature of West Virginia:

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

Section 31. Mentally Diseased Convicts.—When any convict in any of the state's prisons becomes mentally ill before his or her term of sentence expires, it shall be the duty of the warden or superintendent of such prison to notify the board of control which in turn shall cause said convict to be transferred to the department for the criminal mentally ill at the Weston state hospital. It shall then be the duty of the examining board of the Weston state
hospital to observe said convict for a period of thirty days.

If it be determined that said convict is not mentally diseased he or she shall forthwith be returned to prison. If it be determined that such convict is mentally diseased then the examining board shall proceed in accordance with section three, article four, chapter twenty-seven of the code of West Virginia.

When it is determined that such mentally diseased convict has recovered he or she shall be returned forthwith to prison. Any time spent in the Weston state hospital shall be computed as part of the term for which he or she was sentenced. If the sentence of such convict expire while said convict is at the Weston state hospital then upon his or her recovery he or she shall be discharged from said hospital in accordance with section seven, article four, chapter twenty-seven of the code of West Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

A. R. Waigers  
Chairman Senate Committee

James M. Legg  
Chairman House Committee

Originated in the House of Delegates

Takes effect Ninety days from passage.

Howard Mize  
Clerk of the Senate

J.R. Adkins  
Clerk of the House of Delegates

W. L. Ferguson  
President of the Senate

W. E. Hunter  
Speaker House of Delegates

The within approved this the 21st day of February, 1951.

Oliver P. Patterson  
Governor

of West Virginia  
FEB. 22, 1951

D. Pitt O'Brien  
Secretary of State