

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 153

(By Mr. Davis)



PASSED February 14, 1951

In Effect Twenty days from Passage



201

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
2 convict in any of the state's prisons becomes mentally ill
3 before his or her term of sentence expires, it shall be the
4 duty of the warden or superintendent of such prison to
5 notify the board of control which in turn shall cause said
6 convict to be transferred to the department for the crim-
7 inal mentally ill at the Weston state hospital. It shall then
8 be the duty of the examining board of the Weston state

9 hospital to observe said convict for a period of thirty days.
10 If it be determined that said convict is not mentally dis-
11 eased he or she shall forthwith be returned to prison. If
12 it be determined that such convict is mentally diseased
13 then the examining board shall proceed in accordance with
14 section three, article four, chapter twenty-seven of the
15 code of West Virginia.

16 When it is determined that such mentally diseased con-
17 vict has recovered he or she shall be returned forthwith
18 to prison. Any time spent in the Weston state hospital
19 shall be computed as part of the term for which he or she
20 was sentenced. If the sentence of such convict expire
21 while said convict is at the Weston state hospital then
22 upon his or her recovery he or she shall be discharged
23 from said hospital in accordance with section seven, ar-
24 ticle four, chapter twenty-seven of the code of West Vir-
25 ginia.

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

A. R. Weathers
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect thirty days from passage.

Howard Myers
Clerk of the Senate

J. R. Goff
Clerk of the House of Delegates

W. B. Johnston
President of the Senate

W. E. Hanner
Speaker House of Delegates

The within approved this the 21ST
day of FEBRUARY, 1951.

Chas. S. Patton
Governor



of West Virginia **FEB 22 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE