

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 357

(By Mr. Head, of Getman, of Mr. Morgan)



PASSED March 10, 1951

In Effect Thirty days from Passage



301

ENROLLED

House Bill No. 357

(By MR. KIDD, of Gilmer, and MR. MORGAN)

[Passed March 10, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section two-a, article eight, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to feeding and care of prisoners.

Be it enacted by the Legislature of West Virginia:

That section two-a, article eight, 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 2-a. *Feeding and Care of Prisoners; Purchase of Food and Supplies; Records; Payment of Costs.*—On 2 and after the first day of January, one thousand nine 3 hundred forty-nine, the county court of each county shall 4 provide wholesome and sufficient food and clean and 5 sufficient bedding for all prisoners confined in the county 6 jail, and shall furnish the soaps, disinfectants and other 7 supplies needed by the jailer in the performance of his 8

9 duties. The county court may require the jailer to act
10 as its agent for the purpose of purchasing, preparing and
11 serving food for prisoners. If, however, the jailer is not
12 named as such agent, he shall make available to the county
13 court, for use in the preparation and serving of food for
14 prisoners, the services of prisoners, to the number re-
15 quested by the county court. The county court may em-
16 ploy a cook and such other employees as may be neces-
17 sary in the performance of duties required of it by this
18 section.

19 All purchases of food, bedding, and other supplies shall
20 whenever practicable be made at wholesale. Invoices or
21 itemized statements of account from each vendor of food,
22 bedding, and other supplies shall be obtained, and pay-
23 ment of such statements or invoices shall not be author-
24 ized by the county court unless and until the county court
25 has ascertained that the merchandise has been received
26 and that the terms of the purchase have been complied
27 with on the part of the vendor. The county court shall
28 not provide for the feeding of prisoners on a contract or
29 fee basis.

30 The county court shall keep or cause to be kept a daily
31 record showing the total number of prisoners confined in
32 the jail of the county, the number of prisoners admitted,
33 the number released, and the time of each such admit-
34 tance and of each such release. Such record shall show
35 such information separately as to the prisoners of the
36 county, of each municipality, and of the United States.
37 The county court shall also keep or cause to be kept such
38 other accounts and records as will enable it to show the
39 per capita daily cost of the feeding and care of prisoners
40 in each calendar month.

41 The county court shall require to be kept a daily record
42 of food served prisoners and in all counties having a
43 county health officer, said health officer shall, at least once
44 a month, inspect such lists and make such recommenda-
45 tions and suggestions as he may deem proper regarding
46 daily diets and foods.

47 All actual costs incurred by the county court for salaries
48 and for the purchase of food, bedding and other supplies
49 shall be paid out of the funds as payments to sheriffs of
50 fees for the feeding and care of prisoners were made im-

51 mediately prior to the effective date of this act: *Provided,*
52 That in counties having thirty thousand population or
53 less, the sheriff, or the jailer duly appointed as provided
54 in section two, article eight, chapter seven of this code,
55 shall, if so directed by the county court, furnish each
56 prisoner with wholesome and sufficient food.

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

Robert C. Byrd
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect *thirty days from* passage.

Thomas H. Bayne
Clerk of the Senate

J.R. Cliff
Clerk of the House of Delegates

W. Broughton Hunter
President of the Senate

W.E. Tamm
Speaker House of Delegates

10-51

D. Pitt O'Brien
SECRETARY OF STATE

This the *11* day of *Mar.*

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

_____ this the _____, 1951.

Governor

MAR 16 1951
D. PITT O'BRIEN,
SECRETARY OF STATE