WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED
Committee Substitute for
SENATE BILL NO. 31

(By Mr.______________________________)

PASSED______________1951

In Effect

Three Days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 31

[Passed March 5, 1951; in effect ninety days from passage.]

AN ACT to amend article three, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section to be designated section six-a relating to the commitment of inebriates.

Be it enacted by the Legislature of West Virginia:

That article three, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section to be designated section six-a to read as follows:

Section 6-a. Commitment of Inebriates; Definition.—

2 The word “inebriate”, whenever used in this chapter, shall be construed to mean any person over the age of
eighteen years, who is incapable or unfit to properly conduct himself or herself, or his or her affairs, or is dangerous to himself or herself or others, by reason of periodical, frequent, or constant drunkenness, induced either by the use of alcoholic or other liquors, or of opium, morphine, or other narcotic or intoxicating or stupefying substance.

If any resident of a county reasonably suspects any person therein to be an inebriate, he may make complaint under oath to the clerk of the county court, giving such information and stating such facts therein as may be required, and he shall further furnish to said clerk the certificate of a reputable physician showing the condition of such suspected person. This complaint and certificate shall be delivered to the clerk of the county court whose duty it shall be to issue a warrant ordering the person suspected and named in such complaint and certificate to be brought before the county mental hygiene commission at a time and place named therein that his condition may be inquired into. All such warrants shall be signed by the clerk of the county court and have im-
pressed thereon the seal thereof; and may be addressed
to the sheriff of the county or to any constable of any
district thereof, or to a special constable appointed for
the purpose and named therein; but if any relative or
friend of the person so suspected will serve such warrant
and cause such suspected person to be brought before
the commission, he may be allowed to do so. The of-
ci-er or person to whom the warrant is addressed shall
take the suspected person into custody and bring him or
her before the commission at the time and place named
therein.

Whenever a person apparently an inebriate is so violent
as to endanger his or her own safety, or the safety of
others, any law enforcement officer may, with or without
a warrant, take such person into protective custody.

When such suspected person is brought before the
county mental hygiene commission, this commission shall
proceed to examine such person as outlined in sections
four and five of this article. If such person is found to
be an inebriate by the commission after proper hearing,
he or she shall be committed to one of the state mental
hospitals or any other institution hereafter established for inebriates. He or she shall be discharged therefrom when, in the opinion of the superintendent of the institution, he or she has received the maximum benefit from such hospitalization. In all such cases the law applicable to mentally diseased persons shall be applicable to such inebriate, except that such inebriate shall not forfeit his or her civil rights as in the case of a mentally diseased person.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect Ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 8th day of March, 1951.

[Signature]
Governor

Filed in the Office of the Secretary of State
of West Virginia MAR 8 1951

D. PITT O'BRIEN, SECRETARY OF STATE