

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

Senate Committee substitute for Engrossed House

SENATE BILL NO. 188

Originating in the Senate Committee

(By Mr. *On the Judiciary*)

PASSED *March 12* 1953

In Effect *from* Passage



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ENROLLED

SENATE COMMITTEE SUBSTITUTE

FOR

ENGROSSED

House Bill No. 188

(ORIGINATING IN THE SENATE COMMITTEE ON THE JUDICIARY)

[Passed March 12, 1953; in effect from passage.]

AN ACT to amend and reenact section twelve, article five, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to what work convicts may be employed in by warden.

Be it enacted by the Legislature of West Virginia:

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

Section 12. *In What Work Convicts May Be Employed*

2 *By Warden.*—Convicts of either sex not employed in the

3 state convict road force as provided by article five,
4 chapter seventeen, may be employed by the warden un-
5 der the directions of the state board of control in work
6 for the state penitentiary or any farm now or hereafter
7 under control of the state and in work for any public,
8 non-profit enterprise or program sponsored by the state
9 or any of its governmental subdivisions, but such convicts
10 actually confined within the penitentiary and not avail-
11 able for outside work shall as far as possible, be used in
12 the making of articles required by the state departments
13 and institutions. The warden may charge the various
14 state departments and institutions for such convict-made
15 supplies the actual costs of the materials used in the
16 manufacture of the articles furnished them and, in addi-
17 tion thereto, an amount sufficient to defray the mainten-
18 ance cost of the prisoners employed in such manufacture
19 and to keep in repair with suitable replacements the
20 machinery, tools and appliances used in the manufacture
21 of such articles, to the extent of the fair market price
22 thereof, the amount of which shall be stated by the state
23 board of control. Any articles and supplies so manufac-

3 [Enr. Sen. Com. Sub. for H. B. No. 188

24 tured and not required by the state departments and in-
25 stitutions may be sold by the warden to municipalities

3 [Sen. Com. Sub. for Eng. H. B. No. 188

26 and counties and the agencies thereof, or to federal agen-
27 cies, upon the same terms and conditions, but in no event
28 shall such articles be sold to private persons, firms or
29 corporations, or be sold or consumed otherwise than by
30 public departments and institutions of government.

31 This article shall not impair any contracts now existing
32 between the state board of control and any person, firm
33 or corporation for the use of convict labor for manufac-
34 turing within the walls of the penitentiary, nor prevent
35 the hiring of convicts either within or without the walls
36 as otherwise provided by this article.

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

H. M. Kaulley
Chairman Senate Committee

A. C. Culler
Chairman House Committee

Originated in the Senate.

Takes effect *from* passage.

Howard Meyer
Clerk of the Senate

J. A. Huff
Clerk of the House of Delegates

Joseph Brown
President of the Senate

W. B. ...
Speaker House of Delegates

The within *approved* this the *16th* day of *March*, 1953.

William C. Maulsland
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF THE COMMONWEALTH OF VIRGINIA
MAR 16 1953
D. PITT O'BRIEN,
SECRETARY OF STATE