

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1957

---

ENROLLED

SENATE BILL NO. 183

(By Mr. )

---

PASSED March 10, 1957

In Effect immediately after Passage



**ENROLLED**  
**Senate Bill No. 183**  
(By MR. BEAN, MR. PRESIDENT)

---

[Passed March 6, 1957; 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, as amended, 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, as amended, 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 become

4 the duty of the warden or superintendent of such prison

5 to notify the director of mental health, who, in turn, shall  
6 cause such convict to be sent to such mental institution  
7 as the director may determine. It shall then be the duty  
8 of the examining board of the hospital in which such con-  
9 vict shall be confined to observe said convict for a period  
10 of thirty days. If it be determined that said convict is  
11 not mentally diseased, he or she shall forthwith be re-  
12 turned to prison. If it be determined that said convict is  
13 mentally diseased, then the examining board shall forth-  
14 with forward to the clerk of the county court of the county  
15 in which such person is a resident a detailed report of  
16 their examination, which report shall immediately be pre-  
17 sented to the mental hygiene commission of said county.  
18 Such commission shall give full faith and credit to this  
19 report, and, if satisfied that such person is mentally ill,  
20 shall issue an order legally committing the mentally ill  
21 person to the hospital making the report, as though the  
22 person had been brought before it. All expenses incurred  
23 in this proceeding, as well as the hospitalization of the  
24 mentally ill person, shall be borne by the county of which  
25 he is a resident.

26 When it is determined that such mentally diseased con-  
27 vict has recovered, he or she shall be returned forthwith  
28 to prison. Any time spent in such institution shall be  
29 computed as part of the term for which he or she was  
30 sentenced. If the sentence of such convict expire while  
31 said convict is at such institution then, upon his or her  
32 recovery, he or she shall be discharged from said hospital  
33 in accordance with section three, article six, and section  
34 one, article seven of chapter twenty-seven of the official  
35 code.

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

E. H. McCourt  
Chairman Senate Committee

W. Shelton  
Chairman House Committee

Originated in the Senate.

Takes effect nine days from passage.

Howard Keyser  
Clerk of the Senate

C. A. Blenkinship  
Clerk of the House of Delegates

Ralph J. Bean  
President of the Senate

W. C. Fleming  
Speaker House of Delegates

The within approved this the 15<sup>th</sup>  
day of March, 1957.

Jeff B. Hudson  
Governor



Filed In the Office of the Secretary of State  
of West Virginia MAR 15 1957  
D. PITT O'BRIEN  
SECRETARY OF STATE