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 convict in any of the state's prisons becomes mentally ill before his or her term of sentence expires, it shall become the duty of the warden or superintendent of such prison
to notify the director of mental health, who, in turn, shall
cause such convict to be sent to such mental institution
as the director may determine. It shall then be the duty
of the examining board of the hospital in which such con-
vict shall be confined to observe said convict for a period
of thirty days. If it be determined that said convict is
not mentally diseased, he or she shall forthwith be re-
turned to prison. If it be determined that said convict is
mentally diseased, then the examining board shall forth-
with forward to the clerk of the county court of the county
in which such person is a resident a detailed report of
their examination, which report shall immediately be pre-
sented to the mental hygiene commission of said county.
Such commission shall give full faith and credit to this
report, and, if satisfied that such person is mentally ill,
shall issue an order legally committing the mentally ill
person to the hospital making the report, as though the
person had been brought before it. All expenses incurred
in this proceeding, as well as the hospitalization of the
mentally ill person, shall be borne by the county of which
he is a resident.
When it is determined that such mentally diseased convict has recovered, he or she shall be returned forthwith to prison. Any time spent in such institution shall be computed as part of the term for which he or she was sentenced. If the sentence of such convict expire while said convict is at such institution then, upon his or her recovery, he or she shall be discharged from said hospital in accordance with section three, article six, and section one, article seven of chapter twenty-seven of the official code.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. W. McCourt
Chairman Senate Committee

R. T. Hutton
Chairman House Committee

Originated in the Senate.

Takes effect ninety days from final passage.

H. F. Lawton
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph J. Burns
President of the Senate

W. E. Dean
Speaker House of Delegates

The within approved this the 15th day of March, 1957.

E. M. Hudson
Governor

Filed in the Office of the Secretary of State of West Virginia MAR 15, 1957
D. PITT O'BIEN
SECRETARY OF STATE