

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 1130

(By Mr. Dan E. Hest and Mr. Romine)



PASSED March 13 1971

In Effect From Passage



FILED IN THE OFFICE
JOHN D. CONNELL, IV
SECRETARY OF STATE
DATE 4-2-71

1130

ENROLLED
House Bill No. 1130

(By MR. DAUGHERTY and MR. ROMINE)

[Passed March 13, 1971; in effect from passage.]

AN ACT to amend and reenact section two, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to permit closing county courthouses at times other than legal holidays.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. COUNTY PROPERTY.

§7-3-2. Courthouse, jail and offices.

1 “The county court of every county, at the expense of the
2 county, shall provide at the county seat thereof a suit-
3 able courthouse and jail, together with suitable offices
4 for the judge of the circuit court and judges of courts of

5 limited jurisdiction, clerks of such courts and of the
6 county court, assessor, sheriff, prosecuting attorney,
7 county superintendent of schools, and surveyor, and such
8 other offices as are or may be required by law: *Provided*,
9 That such courthouse, including any annex or other fa-
10 cility housing the courts and offices herein set out, (ex-
11 cepting such facilities as are on a twenty-four hour basis),
12 shall be open to the public Monday through Saturday
13 during the hours prescribed by the county court by an
14 order duly recorded in the order book of such court, ex-
15 cluding Sundays and national or state holidays, and may,
16 with the consent of the county court in counties having
17 a population in excess of one hundred thousand be closed
18 on Saturday: *Provided, however*, That the county court
19 of every county having a population in excess of two
20 hundred thousand may provide at the county seat or
21 elsewhere in the county, as the county court shall deter-
22 mine, a suitable jail or jails. The county court shall keep
23 the courthouse, jail and such other offices in constant
24 and adequate repair, and supplied with the necessary
25 heat, light, furniture, record books, and janitor service,

26 and, except as to the office for the judge of the circuit
27 court, with the necessary stationery and postage, and
28 such other things as shall be necessary; but all of the
29 public records, books and papers belonging or appertain-
30 ing to the county surveyor's office shall be delivered to
31 the clerk of the county court and retained by him in his
32 official possession and under his control and shall con-
33 stitute a part of the public records, books and papers of
34 his office. Such courthouses, jails and offices hereafter
35 erected shall be built of stone and brick, or stone or
36 brick, or other equally fireproof materials, and such of-
37 fices shall be fireproof or be furnished with fireproof
38 vaults or safes. The jails shall be well secured, and suf-
39 ficient for the convenient accommodation of those who
40 may be confined therein, and so that the convicts may be
41 in apartments separate from each other, and from the
42 other prisoners; every apartment shall be so constructed
43 that it can be kept comfortable. The county court may
44 also provide other necessary offices and buildings,
45 and may, by purchase or otherwise, acquire so much
46 land as may be requisite or desirable for county purposes,

47 and may suitably inclose, improve and embellish the
48 lands so acquired.

49 Subject to the conditions hereinabove set forth with
50 respect to the site of the courthouse, jail, and other
51 offices, the court may, from time to time, as may seem
52 to it proper, provide, at the expense of the county, a
53 new or other building or buildings to be used for the
54 courthouse and jail, or for either, together with suit-
55 able offices, as aforesaid, and for that purpose may ac-
56 quire, by purchase or otherwise, and hold any lands, or
57 lands and buildings, which may be necessary, and may
58 inclose, improve and embellish the same. When such
59 new or other building or buildings shall be ready for
60 occupancy, the county court shall make an order de-
61 claring that, on a day to be therein named, such new
62 or other building or buildings shall become the court-
63 house and/or jail of the county, and shall cause copies
64 of the order to be posted at the front door of the new
65 as well as of the old courthouse, at least twenty days
66 before the day named in the order; and on and after
67 the day so named such new or other building or build-

68 ings shall be and become, respectively, the courthouse
69 and/or jail of such county in all respects and for all
70 purposes. After such change shall have been made the
71 county court may sell or otherwise dispose of, as may
72 seem to it proper, the building or buildings previously
73 used as a courthouse and jail, or either, and the land
74 on which the same are, or either is, situated, and of
75 the interest of the county therein.

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

James H. Bruce
Chairman Senate Committee

Charles J. Rutledge
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard McGee
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. Hans McCourt
President of the Senate

Lewis N. McManus
Speaker House of Delegates

The within *approved* this the *1st*
day of *April*, 1971.

Wm. A. Shaver, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/19/71

Time 11:00 a.m.

RECEIVED

APR 2 11 54 PM '71

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA