

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1971



**ENROLLED**

HOUSE BILL No. 1130

(By Mr. Dan Street and Mr. Romine)



PASSED March 13 1971

In Effect From Passage



1130

FILED IN THE OFFICE  
JOHN D. ROCKWELL, IV  
SECRETARY OF STATE  
APR 2 1971

**ENROLLED**  
**House Bill No. 1130**

(By MR. DAUGHERTY and MR. ROMINE)

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

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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

Hughes J. Rutledge  
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Meyers  
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 1<sup>st</sup>  
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