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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972



# ENROLLED

HOUSE BILL No. 1109

(By Mr. Seibert)



PASSED March 9 1972

In Effect 90 days from Passage



FILED IN 22-1072  
JAN 9 1973  
SECRETARY OF STATE  
THIS DATE 3-28-72

1109

**ENROLLED**  
**House Bill No. 1109**  
(By MR. SEIBERT)

[Passed March 9, 1972; in effect ninety days from passage.]

AN ACT to amend and reenact section sixteen, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, dealing with the transfer of inmates of state institutions or facilities.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 1. SUPERVISION AND CONTROL OF STATE INSTITUTIONS.**

**§25-1-16. Transfer of inmates of state institutions or facilities.**

1 The state commissioner of public institutions shall have  
2 authority to cause the transfer of any patient or inmate  
3 from any state institution or facility to any other state or  
4 federal institution or facility which is better fitted for the  
5 care or treatment of such patient or inmate, or for other  
6 good cause or reason.

7 Whenever a convict in a state prison becomes mentally  
8 ill, the warden shall proceed in accordance with section  
9 thirty-one, article five, chapter twenty-eight of this code.

10 Whenever a convict in a state prison needs medical at-  
11 tention, other than mental care, not available at said  
12 prison, the warden or superintendent of said prison shall  
13 immediately notify the commissioner of public institu-  
14 tions, who, after proper investigation, shall cause the  
15 transfer of said convict to a hospital within the state of

16 West Virginia properly equipped to render the medical  
17 attention necessary. Such a convict, while receiving  
18 treatment in said hospital, shall be under guard at all  
19 times and shall forthwith be returned to prison upon his  
20 recovery.

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

Russell G. Beane

Chairman Senate Committee

Spyllis J. Rutledge

Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard Roberson

Clerk of the Senate

C. A. Blankenship

Clerk of the House of Delegates

E. Harris McCourt

President of the Senate

Lewis J. McManus

Speaker House of Delegates

The within approved this the 27th  
day of March, 1972.

Hubert H. Hanes, Jr.

Governor

PRESENTED TO THE  
GOVERNOR

Date 3/16/72

Time 2:10 p.m.