

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-21-80

Time 5:10 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1980

— ● —

ENROLLED

HOUSE BILL No. 779

(By Mr. Hendricks & Mr. Tucker)

— ● —

Passed March 7, 1980

In Effect July 1, 1980 ~~Passage~~



No: 779

ENROLLED

H. B. 779

(By MR. HENDRICKS and MR. TUCKER)

[Passed March 7, 1980; in effect July 1, 1980.]

AN ACT to amend and reenact section thirteen, article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing to not more than five dollars per day the allotment for food that a county must provide for prisoners.

Be it enacted by the Legislature of West Virginia:

That section thirteen, article seven, 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 7. TRAINING PROGRAMS FOR COUNTY EMPLOYEES, ETC.; COMPENSATION OF ELECTED COUNTY OFFICIALS; COUNTY ASSISTANTS, DEPUTIES AND EMPLOYEES, THEIR NUMBER AND COMPENSATION.

§7-7-13. Allowance for expenses of sheriff.

1 The county commission of every county having a popula-
2 tion of thirty thousand or less as determined by the latest
3 official census available and which, as provided in section
4 two-a, article eight of this chapter, has directed the sheriff
5 as jailer to feed prisoners shall, in addition to his
6 compensation, allow to the sheriff for keeping and feed-
7 ing each prisoner, other than federal prisoners or prisoners
8 held under civil process as provided by law, not more than
9 five dollars per day for each prisoner.

10 The limitation per day shall not include cost of personal
11 service, bed or bedding, soaps, and disinfectants and items
12 of like kind, the cost of which shall be paid out of the allowance
13 fixed by the county commission under the provisions of present
14 law.

15 All supplies of whatever kind for keeping and feeding
16 prisoners shall be purchased upon the requisition of the sheriff
17 under rules and regulations prescribed by the county com-
18 mission. At the end of each month the sheriff shall file with
19 the county commission a detailed statement showing the
20 name of each prisoner, date of commitment, date of discharge,
21 the number of days in jail, and an itemized statement showing
22 each purchase and the cost for keeping and feeding pri-
23 soners.

24 The county commission of every county shall allow the
25 actual and necessary expenses incurred by the sheriff in the
26 discharge of his duties, including, but not limited to: Those
27 incurred in arresting, pursuing or transporting persons accused
28 or convicted of crimes and offenses; in the cost of law-enforce-
29 ment and safety equipment; in conveying or transporting a
30 prisoner from and to jail to participate in court proceedings;
31 and in conveying or transferring any person to or from any
32 state institution where he may be committed from his county,
33 where the sheriff is authorized to convey or transfer the
34 person. The county commission shall allow the actual and
35 necessary expenses incurred in serving summons, notices or
36 other official papers in connection with the sheriff's office.

37 Every sheriff shall file monthly, under oath, an accurate
38 account of all the actual and necessary expenses incurred by
39 him, his deputies, assistants and employees in the performance
40 and discharge of their official duties supported by verified
41 accounts before reimbursement thereof shall be allowed by
42 the county commission. Reimbursement, properly allowed,
43 shall be made from the general county fund.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christman Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1980.

John C. Mills
Clerk of the Senate

Ch. Blankenship
Clerk of the House of Delegates

W. B. Borker Jr.
President of the Senate

Clyde M. Lee Jr.
Speaker House of Delegates

The within approved this the 21
day of March, 1980.

John R. Roper
Governor

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OFFICE OF THE GOVERNOR