WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1980

ENROLLED

HOUSE BILL No. 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 population of thirty thousand or less as determined by the latest official census available and which, as provided in section two-a, article eight of this chapter, has directed the sheriff as jailer to feed prisoners shall, in addition to his compensation, allow to the sheriff for keeping and feeding each prisoner, other than federal prisoners or prisoners held under civil process as provided by law, not more than five dollars per day for each prisoner.
The limitation per day shall not include cost of personal service, bed or bedding, soaps, and disinfectants and items of like kind, the cost of which shall be paid out of the allowance fixed by the county commission under the provisions of present law.

All supplies of whatever kind for keeping and feeding prisoners shall be purchased upon the requisition of the sheriff under rules and regulations prescribed by the county commission. At the end of each month the sheriff shall file with the county commission a detailed statement showing the name of each prisoner, date of commitment, date of discharge, the number of days in jail, and an itemized statement showing each purchase and the cost for keeping and feeding prisoners.

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

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

Chairman House Committee

Originated in the House.

Takes effect July 1, 1980.

J. C. Wilke  
Clerk of the Senate

A. Blankenship  
Clerk of the House of Delegates

W. Barthold  
President of the Senate

W. Lee B.  
Speaker House of Delegates

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

Governor