

No: 137

RECEIVED
1987 FEB 17 AM 9 55
OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987



ENROLLED

SENATE BILL NO. 137

(By Senators Tucker & Brettner)



PASSED February 10 1987

In Effect from Passage



ENROLLED
Senate Bill No. 137
(By SENATORS TUCKER AND BOETTNER)

[Passed February 10, 1987; 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 counties; county property; providing that county commissions may choose to extend the hours of county facilities to include evening hours or Saturdays.

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.

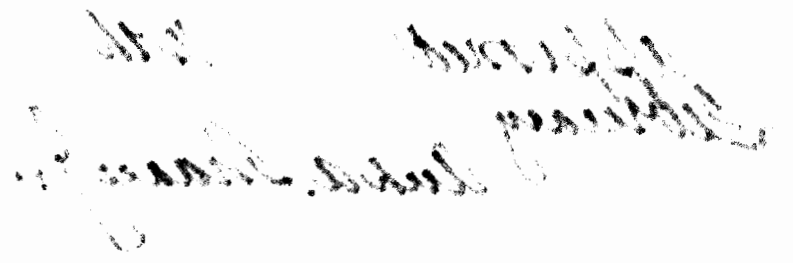
§7-3-2. Courthouse, jail and offices.

1 The county commission of every county, at the expense of
2 the county, shall provide at the county seat thereof a
3 suitable 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 circuit courts, courts of
6 limited jurisdiction and of the county commission, assessor,
7 sheriff, prosecuting attorney, county superintendent of
8 schools, and surveyor, and all other offices as are or may be
9 required by law: *Provided*, That the courthouse, including

10 any annex or other facility housing the courts and offices
11 herein set out, (excepting all facilities that are on a twenty-
12 four-hour basis), shall be open to the public Monday
13 through Friday during the hours prescribed by the county
14 commission by an order duly recorded in the order book of
15 the commission. The county commission in such order may,
16 in its discretion, provide that the courthouse, including any
17 annex or other facility housing the courts and offices herein
18 set out be open on Saturday and prescribe the hours during
19 which it shall be open. In no case may the county
20 commission provide that the courthouse, including any
21 annex or other facility housing the courts and offices herein
22 set out, be open for business on Sundays or national or state
23 holidays: *Provided, however,* That the county commission
24 of every county having a population in excess of two
25 hundred thousand may provide at the county seat or
26 elsewhere in the county, as the county commission shall
27 determine, a suitable jail or jails: *Provided further,* That the
28 county commission of any county, regardless of population,
29 may, as provided in chapter eight, article twenty-three of
30 the code of West Virginia, contract with the county
31 commissions of one or more other counties within this state
32 for the erection, construction, equipment, leasing and
33 renting of a regional correctional center for either adult or
34 youth offenders, at a location mutually agreeable to the
35 contracting parties and not necessarily at the county seat,
36 which will serve each county entering into the contract. The
37 county commission shall keep the courthouse, jail and other
38 offices in constant and adequate repair, and supplied with
39 the necessary heat, light, furniture, record books, and
40 janitor service, and, except as to the office for the judge of
41 the circuit court, with the necessary stationery and postage,
42 and other things as shall be necessary; but all of the public
43 records, books and papers belonging or appertaining to the
44 county surveyor's office shall be delivered to the clerk of the
45 county commission and retained by him in his official
46 possession and under his control and shall constitute a part
47 of the public records, books and papers of his office. All
48 courthouses, jails and offices hereafter erected shall be
49 built of stone and brick, or stone or brick, or other equally
50 fireproof materials, and the offices shall be fireproof or be
51 furnished with fireproof vaults or safes. The jails shall be
52 well secured, and sufficient for the convenient

53 accommodation of those who may be confined therein, and
54 so that the convicts may be in apartments separate from
55 each other, and from the other prisoners; every apartment
56 shall be so constructed that it can be kept comfortable. The
57 county commission may also provide other necessary
58 offices and buildings, and may, by purchase or otherwise,
59 acquire as much land as may be requisite or desirable for
60 county purposes, and may suitably enclose, improve and
61 embellish the lands so acquired.

62 Subject to the conditions hereinabove set forth with
63 respect to the site of the courthouse, jail, and other offices,
64 the commission may, from time to time, as may seem to it
65 proper, provide, at the expense of the county, a new or other
66 building or buildings to be used for the courthouse and jail,
67 or for either, together with suitable offices, as aforesaid,
68 and for that purpose may acquire, by purchase or otherwise,
69 and hold any lands, or lands and buildings, which may be
70 necessary, and may enclose, improve and embellish the
71 same. When any new or other building or buildings shall be
72 ready for occupancy, the county commission shall make an
73 order declaring that, on a day to be therein named, the new
74 or other building or buildings shall become the courthouse,
75 or jail, or both the courthouse and jail of the county, and
76 shall cause copies of the order to be posted at the front door
77 of the new as well as of the old courthouse, at least twenty
78 days before the day named in the order; and on and after the
79 day named the new or other building or buildings shall
80 become, respectively, the courthouse, or jail, or both the
81 courthouse and jail of the county in all respects and for all
82 purposes. After the change shall have been made the county
83 commission may sell or otherwise dispose of, as may seem to
84 it proper, the building or buildings previously used as a
85 courthouse and jail, or either, and the land on which they
86 are, or either is, situated, and of the interest of the county
87 therein.



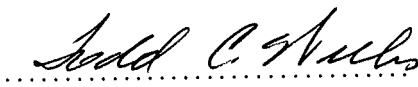
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

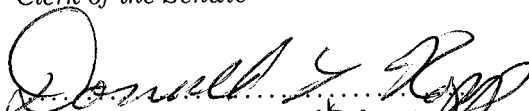

.....
Chairman Senate Committee



.....
Chairman House Committee

Originated in the Senate.





In effect from passage.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within  this the  day of  1987.

.....
Governor

PRESENTED TO THE

GOVERNOR

Date 2/13/87

Time 9:35 a.m.