WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED

SENATE BILL NO. 137

(By Senator Tucker's Prettner)

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 the county, shall provide at the county seat thereof a suitable courthouse and jail, together with suitable offices for the judge of the circuit court and judges of courts of limited jurisdiction, clerks of circuit courts, courts of limited jurisdiction and of the county commission, assessor, sheriff, prosecuting attorney, county superintendent of schools, and surveyor, and all other offices as are or may be required by law: Provided, That the courthouse, including
any annex or other facility housing the courts and offices
herein set out, (excepting all facilities that are on a twenty-
four-hour basis), shall be open to the public Monday
through Friday during the hours prescribed by the county
commission by an order duly recorded in the order book of
the commission. The county commission in such order may,
in its discretion, provide that the courthouse, including any
annex or other facility housing the courts and offices herein
set out be open on Saturday and prescribe the hours during
which it shall be open. In no case may the county
commission provide that the courthouse, including any
annex or other facility housing the courts and offices herein
set out be open for business on Sundays or national or state
holidays: Provided, however, That the county commission
of every county having a population in excess of two
hundred thousand may provide at the county seat or
elsewhere in the county, as the county commission shall
determine, a suitable jail or jails: Provided further, That the
county commission of any county, regardless of population,
may, as provided in chapter eight, article twenty-three of
the code of West Virginia, contract with the county
commissions of one or more other counties within this state
for the erection, construction, equipment, leasing and
renting of a regional correctional center for either adult or
youth offenders, at a location mutually agreeable to the
contracting parties and not necessarily at the county seat,
which will serve each county entering into the contract. The
county commission shall keep the courthouse, jail and other
offices in constant and adequate repair, and supplied with
the necessary heat, light, furniture, record books, and
janitor service, and, except as to the office for the judge of
the circuit court, with the necessary stationery and postage,
and other things as shall be necessary; but all of the public
records, books and papers belonging or appertaining to the
county surveyor's office shall be delivered to the clerk of the
county commission and retained by him in his official
possession and under his control and shall constitute a part
of the public records, books and papers of his office. All
courthouses, jails and offices hereafter erected shall be
built of stone and brick, or stone or brick, or other equally
fireproof materials, and the offices shall be fireproof or be
furnished with fireproof vaults or safes. The jails shall be
well secured, and sufficient for the convenient
accommodation of those who may be confined therein, and so that the convicts may be in apartments separate from each other, and from the other prisoners; every apartment shall be so constructed that it can be kept comfortable. The county commission may also provide other necessary offices and buildings, and may, by purchase or otherwise, acquire as much land as may be requisite or desirable for county purposes, and may suitably enclose, improve and embellish the lands so acquired.

Subject to the conditions hereinabove set forth with respect to the site of the courthouse, jail, and other offices, the commission may, from time to time, as may seem to it proper, provide, at the expense of the county, a new or other building or buildings to be used for the courthouse and jail, or for either, together with suitable offices, as aforesaid, and for that purpose may acquire, by purchase or otherwise, and hold any lands, or lands and buildings, which may be necessary, and may enclose, improve and embellish the same. When any new or other building or buildings shall be ready for occupancy, the county commission shall make an order declaring that, on a day to be therein named, the new or other building or buildings shall become the courthouse, or jail, or both the courthouse and jail of the county, and shall cause copies of the order to be posted at the front door of the new as well as of the old courthouse, at least twenty days before the day named in the order; and on and after the day named the new or other building or buildings shall become, respectively, the courthouse, or jail, or both the courthouse and jail of the county in all respects and for all purposes. After the change shall have been made the county commission may sell or otherwise dispose of, as may seem to it proper, the building or buildings previously used as a courthouse and jail, or either, and the land on which they are, or either is, situated, and of the interest of the county 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...approved...this the 16th day of February 1987.

Governor