

FILED

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**OFFICE WEST VIRGINIA
SECRETARY OF STATE**

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2003



ENROLLED

House Bill No. 2847

(By Delegates Stemple, Crosier, Williams, Kominar and Cann)



Passed March 8, 2003

In Effect Ninety Days from Passage

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E N R O L L E D

H. B. 2847

(BY DELEGATES STEMPLE, CROSIER,
WILLIAMS, KOMINAR AND CANN)

[Passed March 8, 2003; in effect ninety days from passage.]

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 the law-enforcement agency that places a person under arrest being responsible for the person's initial transportation to a regional or county jail, except where a transportation agreement exists between the other agency and the sheriff; and requiring convicted persons to pay cost of transportation.

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. COMPENSATION OF ELECTED COUNTY OFFICIALS.

§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 two-
4 a, article eight of this chapter, has directed the sheriff as jailer
5 to feed prisoners shall, in addition to his or her compensation,
6 allow to the sheriff for keeping and feeding each prisoner, other
7 than federal prisoners or prisoners held under civil process as
8 provided by law, not more than five dollars per day for each
9 prisoner.

10 The limitation per day shall not include cost of personal
11 service, bed or bedding, soaps and disinfectants and items of
12 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.

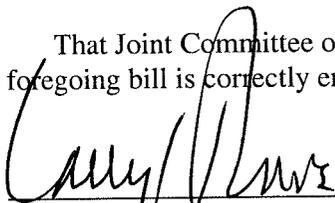
15 All supplies of whatever kind for keeping and feeding
16 prisoners shall be purchased upon the requisition of the sheriff
17 under rules prescribed by the county commission. At the end of
18 each month the sheriff shall file with the county commission a
19 detailed statement showing the name of each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

23 The county commission of every county shall allow the
24 actual and necessary expenses incurred by the sheriff in the
25 discharge of his or her duties, including, but not limited to:
26 those incurred in arresting, pursuing or transporting persons
27 accused or convicted of crimes and offenses; in the cost of law-
28 enforcement and safety equipment; in conveying or transporting
29 a prisoner from and to jail to participate in court proceedings;
30 and in conveying or transferring any person to or from any state
31 institution where he or she may be committed from his or her
32 county, where the sheriff is authorized to convey or transfer the
33 person: *Provided*, That the law-enforcement agency that places

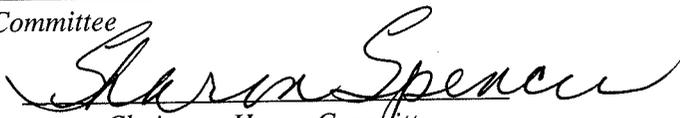
34 a person under arrest shall be responsible for the person's initial
35 transportation to a regional or county jail, except where there is
36 a preexisting agreement between the county and the political
37 body the other law-enforcement agency serves. Any person
38 transported to the regional jail as provided for by the provisions
39 of this section shall, upon conviction for the offense causing his
40 or her incarceration, pay the reasonable costs of the transporta-
41 tion. The money is to be collected by the court of conviction at
42 the current mileage reimbursement rate. The county commis-
43 sion shall allow the actual and necessary expenses incurred in
44 serving summonses, notices or other official papers in connec-
45 tion with the sheriff's office.

46 Every sheriff shall file monthly, under oath, an accurate
47 account of all the actual and necessary expenses incurred by
48 him or her, his or her deputies, assistants and employees in the
49 performance and discharge of their official duties supported by
50 verified accounts before reimbursement thereof shall be
51 allowed by the county commission. Reimbursement, properly
52 allowed, shall be made from the general county fund.

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



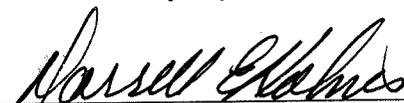
Chairman Senate Committee



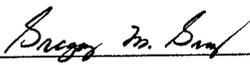
Chairman House Committee

Originating in the House.

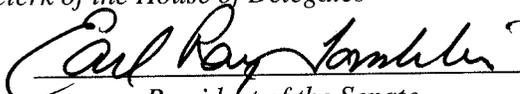
In effect ninety days from passage



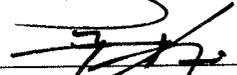
Clerk of the Senate



Clerk of the House of Delegates

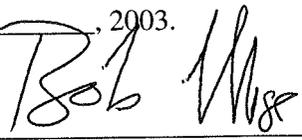


President of the Senate



Speaker of the House of Delegates

The within is approved this the 29th
day of March, 2003.



Governor

PRESENTED TO THE
GOVERNOR

Date 3/24/03

Time 10:35 hr