# WEST VIRGINIA CODE: §61-3-11

**§61-3-11. Burglary; entry of dwelling or outhouse; criminal penalties.**

(a) Any person who breaks and enters, or enters without breaking, a dwelling house of another or outbuilding adjoining the dwelling with the intent to commit a violation of the criminal laws of this state is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than one nor more than 15 years.

(b) The term "dwelling house", as used in subsection (a) of this section, includes, but is not limited to, a mobile home, house trailer, modular home, factory-built home, or self-propelled motor home, used as a dwelling regularly or only from time to time, or any other nonmotorized vehicle primarily designed for human habitation and occupancy and used as a dwelling regularly or only from time to time.

(c) For purposes of this section, a dwelling or adjoining outbuilding is considered to be that of another if the person breaking and entering, or entering without breaking, knows that he or she is prohibited from being there.

WV Legislature