WEST VIRGINIA CODE: §61-4A-2

§61-4A-2. Larceny involving gift cards.

(a) Any person who, with the intent to defraud any other person or entity, acquires or retains possession of a gift card or gift card redemption information without the consent of the cardholder, card issuer, or gift card seller and the value of the gift card or gift cards is less than $1,000 is guilty of the misdemeanor offense of petit larceny involving gift cards and upon conviction thereof shall be confined in jail for a term not to exceed one year or fined not more than $1,000, or both fined and confined.

(b) Any person who, with the intent to defraud any other person or entity, acquires or retains possession of a gift card or gift card redemption information without the consent of the cardholder, card issuer, or gift card seller and the value of the gift card or gift cards is greater than $1,000 is guilty of the felony offense of grand larceny involving gift cards and upon conviction thereof shall be imprisoned in a state correctional facility for a term not less than a year nor more than 10 years, or fined not more than $2,500, or both fined and imprisoned.

WV Legislature