WEST VIRGINIA CODE: §61-4A-3

§61-4A-3. Tampering involving gift cards.

(a) Any person who, with the intent to defraud any other person or entity, alters or tampers with a gift card or its packaging and the value of the gift card or gift cards is less than $1,000 is guilty of the misdemeanor crime of tampering with a gift card 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, alters or tampers with a gift card or its packaging and the value of the gift card or gift cards is greater than $1,000 is guilty of the felony crime of tampering with a gift card 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.

(c) In determining the value of the gift card or gift cards in subsections (a) and (b) of this section, it is permissible to cumulate the value of multiple gift cards when such gift cards are part of a common scheme or plan.

WV Legislature