WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 8

(By Mr. Speaker, Mr. Thomas)

PASSED Feb. 20, 1939

In Effect from Passage
ENROLLED
House Bill No. 8
(By Mr. Speaker, Mr. Thomas)

[Passed February 20, 1939; in effect from passage.]

AN ACT to amend and reenact sections eighteen and nineteen, article eleven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, relating to the punishment of second and third offenders.

Be it enacted by the Legislature of West Virginia:

That sections eighteen and nineteen, article eleven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 18. Punishment for Second Offense of Felony. When any person is convicted of an offense, and sentenced to confinement therefor in the penitentiary, and it is alleged in the indictment on which the person is convicted, and admitted, or by the jury found, that the person had been before convicted in the United States of a crime punishable by imprisonment in a
penitentiary, the court shall, if the sentence to be imposed is
for a definite term of years, add five years to the time for which
the person is or would be otherwise sentenced. Whenever in
such case the court imposes an indeterminate sentence, five
years shall be added to the maximum term of imprisonment
otherwise provided for under such sentence.

Sec. 19. Punishment for Third Offense of Felony. When
any such convict shall have been twice before convicted in
the United States of a crime punishable by confinement in a
penitentiary, the person shall be sentenced to be confined in the
penitentiary for life. But before such sentence may be lawfully
imposed, it must be alleged in the indictment on which the
person is convicted, and admitted, or by the jury found, that
such convict had theretofore been twice so convicted.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes 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 27th day of February, 1933.

Governor.

Filed in the office of the Secretary of State of West Virginia. FEB 27 1933

Wm. S. O'Brien,
Secretary of State