

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969

ENROLLED

SENATE BILL NO. 245

(By ~~Mr.~~ Organizing in the Committee  
on the Judiciary)

PASSED March 8, 1969

In Effect July 1, 1969 Passage —

FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE

THIS DATE 3-17-69

# 245-

**ENROLLED**  
**Senate Bill No. 245**

(Originating in the Committee on the Judiciary)

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[Passed March 8, 1969; in effect July 1, 1969.]

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AN ACT to amend article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifteen-a, excluding in certain prosecutions for statutory rape any and all evidence based upon any action taken, application, certification or representations made, consents given, orders made, license issued or marriage solemnized under or pursuant to the provisions of section one, article one, chapter forty-eight of said code.

*Be it enacted by the Legislature of West Virginia:*

That article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fifteen-a, to read as follows:

**ARTICLE 2. CRIMES AGAINST THE PERSON.**

**§61-2-15a. Certain evidence excluded in prosecutions for  
statutory rape.**

1 Whenever a male person over the age of sixteen years  
2 is charged, under the provisions of section fifteen of this  
3 article, with carnally knowing a female person of previous  
4 chaste character, not his wife, under that age, any action  
5 taken, application, certification or representations made,  
6 consents given, orders made, license issued or marriage  
7 solemnized under or pursuant to the provisions of section  
8 one, article one, chapter forty-eight of this code, shall not  
9 be used against the accused or be any evidence whatever  
10 of any element of the alleged offense.

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

William Tompkins  
Chairman Senate Committee

Clayton C. Raudenbush  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1969.

Thomas M. Egan  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Lloyd S. Jackson  
President of the Senate

Ivor F. Boicarsky  
Speaker House of Delegates

The within approved this the 17<sup>th</sup>  
day of March, 1969.

Arch. S. Shaw, Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/14/69

Time 2:20 p.m.