ENROLLED

SENATE BILL NO. 114

(By Mr. [Signature] the President, original Sponsor)

PASSED MARCH 8, 1972

In Effect 90 Days From Passage

FILeD IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-26-72
AN ACT to amend article three, 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 eight, setting forth various prohibitions as to a molotov cocktail; defining the term “molotov cocktail”; establishing criminal offenses; and providing criminal penalties.

Be it enacted by the Legislature of West Virginia:

That article three, 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 eight, to read as follows:

§61-3-8. Prohibitions as to molotov cocktails; penalty.

1 It shall be unlawful for any person to make, carry, possess, sell, give or use any type of incendiary device, commonly known as a molotov cocktail, which is hereby defined to mean a makeshift incendiary bomb made of a breakable container filled with flammable liquid and provided with a wick composed of any substance capable of bringing a flame into contact with the liquid, but is not intended to mean a device commercially manufactured primarily for the purpose of illumination, or other such uses.

11 Any person who shall violate any provision of this section shall be guilty of a felony, and, upon conviction thereof, shall be confined in the penitentiary not less than one year nor more than five years.
The possession, sale or control by a person or persons of any such device or container containing flammable liquid is prima facie evidence of a violation of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell P. Beall
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard C. Carson
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

E. Wren M. McClintock
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 17th day of March, 1972.

Arnold D. Sharrer
Governor