WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED
SENATE BILL NO. 401

(By Mr. McFerrin, President
and Mr. Hubble)

PASSED MARCH 11, 1972

In Effect 20 DAYS FROM PASSAGE

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-29-72
AN ACT to amend and reenact section four, article five, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to criminal offenses for obtaining or attempting to obtain or aiding or abetting another in obtaining or attempting to obtain welfare assistance by a willfully false statement or misrepresentation or by impersonation or any other fraudulent device; and providing criminal penalties therefor.

Be it enacted by the Legislature of West Virginia:

That section four, article five, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-4. Penalties for false statements, etc.

1 Any person who obtains or attempts to obtain, or aids or abets an applicant or recipient in obtaining or attempting to obtain, by means of a willfully false statement or misrepresentation or by impersonation of any other fraudulent device:

2 (1) Any class of welfare assistance to which the applicant or recipient is not entitled; or

3 (2) Any class of welfare assistance in excess of that to which the applicant or recipient is justly entitled; shall upon conviction be punished as follows:

4 (1) If the aggregate value of all funds or other benefits obtained or attempted to be obtained shall be less than five hundred dollars or less, the person so convicted shall be guilty of a misdemeanor and shall be fined not more than one thousand dollars or confined in jail not exceeding one year; or
(2) If the aggregate value of all funds or other benefits obtained or attempted to be obtained shall exceed five hundred dollars, the person so convicted shall be guilty of a felony and shall be fined not more than five thousand dollars or confined in the penitentiary not less than one year nor more than five years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell E. Peake  
Chairman Senate Committee

Phyllis J. Atchledge  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard S.ط
Clerk of the Senate

U. A. Blankenship  
Clerk of the House of Delegates

Grobbew  
President of the Senate

Lewis J. Mahoney  
Speaker House of Delegates

The within appeared this the 27th day of March, 1972.

Andrew Sarvis  
Governor
PRESENTED TO THE
GOVERNOR

Date 3/17/72
Time 12:30 p.m.

Mar 29 9 29 AM '72

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA