

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

ENROLLED

SENATE BILL NO. 401

(By Mr. McPart + Mr. President
AND Mr. Hubbard)

PASSED MARCH 11th 1972

In Effect 90 DAYS FROM Passage



401

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-29-72

ENROLLED

Senate Bill No. 401

(By MR. McCOURT, Mr. President, and MR. HUBBARD)

[Passed March 11, 1972; in effect ninety days from passage.]

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
2 or abets an applicant or recipient in obtaining or attempt-
3 ing to obtain, by means of a willfully false statement or
4 misrepresentation or by impersonation of any other fraud-
5 ulent device:

6 (1) Any class of welfare assistance to which the ap-
7 plicant or recipient is not entitled; or

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

11 (1) If the aggregate value of all funds or other benefits
12 obtained or attempted to be obtained shall be less than
13 five hundred dollars or less, the person so convicted shall
14 be guilty of a misdemeanor and shall be fined not more
15 than one thousand dollars or confined in jail not exceeding
16 one year; or

17 (2) If the aggregate value of all funds or other bene-
18 fits obtained or attempted to be obtained shall exceed five
19 hundred dollars, the person so convicted shall be guilty
20 of a felony and shall be fined not more than five thousand
21 dollars or confined in the penitentiary not less than one
22 year nor more than five years.

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

Russell G. Beall
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard W. Benson
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

George B. ...
President of the Senate

Levin J. McManus
Speaker House of Delegates

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

Hubert H. ...
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