WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

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ENROLLED

HOUSE BILL No. 2424

(By Delegates Hutchinson & Fanley)

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Passed February 23, 1987

In Effect Ninety Days From Passage
AN ACT to amend and reenact section one, article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to changing the reference of “rape” to “sexual assault” for purposes of defining first degree murder.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-1. First and second degree murder defined; allegations in indictment for homicide.

1 Murder by poison, lying in wait, imprisonment, starving, or by any willful, deliberate and premeditated killing, or in the commission of, or attempt to commit, arson, sexual assault, robbery or burglary, is murder of the first degree. All other murder is murder of the second degree.

In an indictment for murder and manslaughter, it shall not be necessary to set forth the manner in which, or the means by which, the death of the deceased was caused, but it shall be sufficient in every such indictment to charge that the defendant did feloniously, willfully, maliciously, deliberately and unlawfully slay, kill and murder the deceased.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 5th day of March, 1987.

Governor