WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995

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ENROLLED

Com. Sub. for
HOUSE BILL No. 2034

(By Delegates: )

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Passed February 17, 1995

In Effect 90 Days From Passage
AN ACT to amend and reenact section ten, article five, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to creating penalties for escape from a county sheriff, the director of the regional jail authority, representatives of said persons, from a law-enforcement officer, court bailiff, or from any institution, facility, or any alternative sentence of confinement.

Be it enacted by the Legislature of West Virginia:

That section ten, article five, 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 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-10. Persons in custody of institutions or officers.

Whoever escapes or attempts to escape by any means from the custody of a county sheriff, the director of the regional jail authority, an authorized representative of said persons, a law-enforcement officer, court bailiff, or from any institution, facility, or any alternative sentence confinement, by which he or she is lawfully confined, shall, if the custody or confinement is by virtue of a
charge or conviction for a felony, be guilty of a felony,
and, upon conviction thereof, shall be confined in the
penitentiary for not more than five years; and if the
custody or confinement is by virtue of a charge or
conviction for a misdemeanor, shall be guilty of a
misdemeanor, and, upon conviction thereof, he or she
shall be confined in the jail for not more than one year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randolph Sabourin  
Chairman Senate Committee

Ernest C. Moore  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Marshall B. Sterling  
Clerk of the Senate

Donald L. Huff  
Clerk of the House of Delegates

Earl Ray Tomblin  
President of the Senate

Mike Caputo  
Speaker of the House of Delegates

The within was approved this the 1st day of March, 1999.

Governor