

FILED 4/17/95

RECEIVED
1995 APR -5 PM 4:40
OFFICE OF THE CLERK
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

Com. Sub. for
HOUSE BILL No. 2702

(By Delegate BEANE)



Passed MARCH 11, 1995

In Effect 90 DAYS FROM Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 2702

(BY DELEGATE BEANE)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend and reenact section seventeen, article five, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing that fleeing from an officer attempting to make a lawful arrest is a misdemeanor; and providing for penalties.

Be it enacted by the Legislature of West Virginia:

That section seventeen, 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.

§61-5-17. Obstructing officer; fleeing from officer; penalty.

1 (a) Any person who by threats, menaces, acts or
2 otherwise, shall forcibly or illegally hinder, obstruct, or
3 oppose, or attempt to obstruct or oppose, or shall counsel,
4 advise or invite others to hinder, obstruct or oppose any
5 officer in this state (whether civil or military) in the lawful
6 exercise or discharge of his official duty, shall, for every
7 such offense, be guilty of a misdemeanor, and, upon
8 conviction thereof, shall be fined not less than fifty nor
9 more than five hundred dollars, and may, in the discretion

10 of the court, be imprisoned not exceeding one year.

11 (b) If any person intentionally flees from or attempts
12 to flee from any officer in this state (whether civil or
13 military) who is attempting to make a lawful arrest of such
14 person, and the person knows or reasonably believes that
15 the officer is attempting to arrest him or her, he or she is
16 guilty of a misdemeanor, and, upon conviction thereof,
17 shall be fined not less than fifty nor more than five
18 hundred dollars, and may, in the discretion of the court, be
19 imprisoned for a term not exceeding twelve months.

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

Randy Schorover
Chairman Senate Committee

Ernest E. Moore
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Donald L. Kuff
Clerk of the Senate

Donald L. Kuff
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Paul E. Patton
Speaker of the House of Delegates

The within _____ this the _____
day of _____, 1995.

Governor



PRESENTED TO THE

GOVERNOR

Date 3/31/95

Time 2:45pm