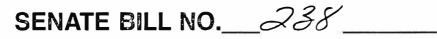
Hpm 3/20/95 My

WEST VIRGINIA LEGISLATURE

NC O DN

REGULAR SESSION, 1995





(By Senator _ WEDTON, ET AL_)

PASSED <u>IARCH</u> 9 1995 In Effect <u>90 clarge</u> <u>Flan</u> Passage

ENROLLED

Senate Bill No. 238

(By Senators Wooton, Dittmar, Buckalew, Yoder, Ross, Oliverio, White and Wagner)

[Passed March 9, 1995; in effect ninety days from passage.]

AN ACT to amend article five, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six, relating to creating the misdemeanor offense of knowingly and willfully providing materially false information to the commission on special investigations or its personnel authorized to conduct investigations.

Be it enacted by the Legislature of West Virginia:

That article five, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six, to read as follows:

ARTICLE 5. COMMISSION ON SPECIAL INVESTIGATIONS.

§4-5-6. False statements to commission.

- 1 (a) A person is guilty of making a false statement to the 2 commission on special investigations when:
- 3 (1) Such person, with the intent to impede the commis-4 sion or to impede an investigator of the commission

5 acting in the lawful exercise of his or her official duties,

6 knowingly and willfully makes any false, fictitious or

7 fraudulent statement or representation, or makes or uses

8 any false writing or document knowing the same to

9 contain any false, fictitious or fraudulent statement or 10 entry;

(2) Such statement, representation, writing or document is made or given to the commission or an investigator of the commission acting in the lawful exercise of his
or her official duties; and

15 (3) The misrepresentation is material.

(b) The provisions of subsection (a) of this section are
not applicable to a person in the relation of husband and
wife, parent or grandparent, child or grandchild, brother
or sister, by consanguinity or affinity, of an individual
who is the subject of an investigation by the commission.
(c) Any person who violates the provisions of this
coation is guilty of a misdomeanor and upon acquisition

section is guilty of a misdemeanor, and, upon conviction
thereof, shall be fined not less than one hundred dollars
nor more than one thousand dollars, or confined in jail
for not more than one year, or both, in the discretion of
the court.

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

Chairman Senate Committee

Ernest - C more Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates President of

Speaker House of Delegates

The within 15 approved this the 17th March day of 995. overnor

3

PRESENTED TO THE

.

GOVERNOR Date <u>3/16/9</u>3 Time 10:320