

HB 2084

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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



ENROLLED

COMMITTEE SUBSTITUTE FOR House Bill No. 2084

(By Mr. Speaker, Mr. Kiss, and
Delegates Amores, Capito, Evans and Flanigan)



Passed March 12, 1999

In Effect Ninety Days from Passage

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SECRETARY OF STATE

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FOR

H. B. 2084

(BY MR. SPEAKER, MR. KISS, AND
DELEGATES AMORES, CAPITO, EVANS AND FLANIGAN)

[Passed March 12, 1999; in effect ninety days from passage.]

AN ACT to amend article seven, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifteen, relating to providing for the felony offense of wearing body armor while committing a violent crime; and providing penalties.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-15. Persons prohibited from committing violent crime while wearing body armor; penalties.

- 1 (a) A person who wears or is otherwise equipped with body
- 2 armor while committing a felony offense an element of which

3 is force, the threat of force, physical harm to another or the use
4 or presentment of a firearm or other deadly weapon, is guilty of
5 a felony, and upon conviction thereof shall be confined in a
6 correctional facility for not less than two nor more than ten
7 years or fined not more than ten thousand dollars, or both.

8 (b) As used in this section "body armor" means a jacket,
9 vest, or other similar apparel or device constructed to provide
10 ballistic resistance to penetration and deformation and intended
11 to protect the human torso against gunfire. The term may
12 include, but is not limited to, apparel that incorporates inserts,
13 or variations in construction of the ballistic panel over small
14 areas of the torso, for the purpose of increasing the basic level
15 of protection of the armor (whether ballistic or blunt trauma) on
16 localized areas. Body armor may be constructed of Kevlar or
17 other similar fabric and may be reinforced with other materials.
18 Body armor may incorporate "threat" or "trauma" plates (which
19 are inserts that fit into the vest that will stop more powerful
20 rounds) or may, as "threat armor", incorporate hard panels.

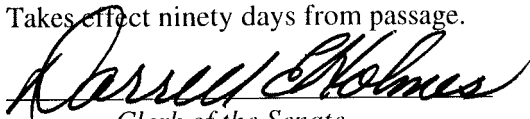
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

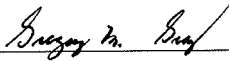

Chairman Senate Committee

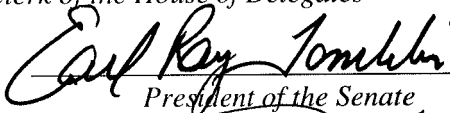

Chairman House Committee


Originating in the House.

Takes effect ninety days from passage.

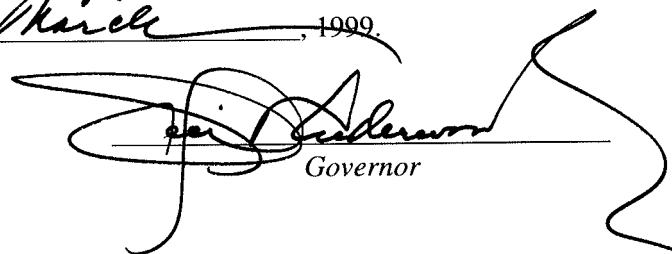

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 24th
day of March, 1999.


Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/99

Time 10:16 am