WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1999

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2084

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

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Passed March 12, 1999

In Effect Ninety Days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

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 armor while committing a felony offense an element of which
is force, the threat of force, physical harm to another or the use
or presentment of a firearm or other deadly weapon, is guilty of
a felony, and upon conviction thereof shall be confined in a
correctional facility for not less than two nor more than ten
years or fined not more than ten thousand dollars, or both.

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