

HB 2364

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# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



# ENROLLED

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2364**

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)  
[By Request of the Executive]



Passed March 13, 1999

In Effect Ninety Days from Passage

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STATE OF WEST VIRGINIA  
SOUTH BEND OFFICE

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FOR

# H. B. 2364

(BY MR. SPEAKER, MR. KISS, AND DELEGATE TRUMP)  
[BY REQUEST OF THE EXECUTIVE]

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[Passed March 13, 1999; in effect ninety days from passage.]

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AN ACT to amend and reenact section seventeen, article six, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to false reports concerning bombs or other explosive devices; creating offense of false reports concerning bombs creating serious bodily injury; and penalties.

*Be it enacted by the Legislature of West Virginia:*

That section seventeen, article six, 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 6. CRIMES AGAINST THE PEACE.

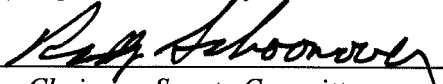
**§61-6-17. False reports concerning bombs or other explosive devices; penalties.**

1 (a) Any person who shall impart or convey or cause to be  
2 imparted or conveyed any false information, knowing or having  
3 reasonable cause to believe such information to be false,  
4 concerning the presence of any bomb or other explosive device  
5 in, at, on, near, under or against any dwelling house, structure,  
6 improvement, building, bridge, motor vehicle, vessel, boat,  
7 railroad car, airplane or other place, or concerning an attempt  
8 or alleged attempt being made or to be made to so place or  
9 explode any such bomb or other explosive device, shall be  
10 guilty of a misdemeanor, and, upon conviction thereof, shall be  
11 punished by a fine of not less than one hundred dollars nor  
12 more than one thousand dollars, or by confinement in the  
13 county jail for not more than one year, or both.

14 (b) Any person violating any provision of subsection (a) of  
15 this section shall, for the second or any subsequent offense  
16 under this section, be guilty of a felony, and, upon conviction  
17 thereof, shall be punished by a fine of not less than one hundred  
18 dollars nor more than one thousand dollars, or by imprisonment  
19 in the state penitentiary for not less than one year nor more than  
20 five years, or both, or, in the discretion of the court, shall be  
21 punished by a fine of not less than one hundred dollars nor  
22 more than one thousand dollars and by confinement in the  
23 county jail for not more than one year.

24 (c) Notwithstanding any provision of this section to the  
25 contrary, any person violating the provisions of subsection (a)  
26 of this section whose violation of the subsection results in  
27 another suffering serious bodily injury shall be guilty of a  
28 felony and, upon conviction thereof, shall be confined in a  
29 correctional facility for not less than one nor more than five  
30 years or fined not more than ten thousand dollars, or both. Each  
31 such injury covered by a violation of subsection (a) shall  
32 constitute a separate offense.

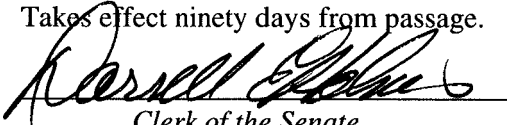
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

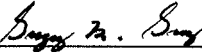
  
Chairman Senate Committee

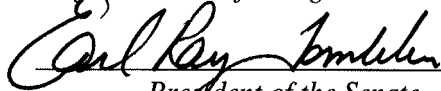
  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

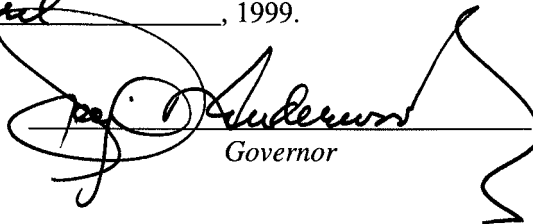
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 24  
day of April, 1999.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/5/99

Time 4:17pm