WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1999

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ENROLLED

COMMITTEE SUBSTITUTE FOR
House Bill No. 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
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.
(a) Any person who shall impart or convey or cause to be imparted or conveyed any false information, knowing or having reasonable cause to believe such information to be false, concerning the presence of any bomb or other explosive device in, at, on, near, under or against any dwelling house, structure, improvement, building, bridge, motor vehicle, vessel, boat, railroad car, airplane or other place, or concerning an attempt or alleged attempt being made or to be made to so place or explode any such bomb or other explosive device, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by confinement in the county jail for not more than one year, or both.

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

(c) Notwithstanding any provision of this section to the contrary, any person violating the provisions of subsection (a) of this section whose violation of the subsection results in another suffering serious bodily injury shall be guilty of a felony and, upon conviction thereof, shall be confined in a correctional facility for not less than one nor more than five years or fined not more than ten thousand dollars, or both. Each such injury covered by a violation of subsection (a) shall 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 21st day of April, 1999.

Governor