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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000



ENROLLED

Committee Substitute for
SENATE BILL NO. 157

(By Senator Love, et al)



PASSED March 10, **2000**
In Effect ninety days from **Passage**

SB 157

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 157

(SENATORS LOVE, HUNTER, ROSS
AND HELMICK, *original sponsors*)

[Passed March 10, 2000; in effect ninety days from passage.]

AN ACT to repeal section twenty-two, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend article eight-b, chapter sixty-one of said code by adding thereto a new section, designated section ten, relating to creating the felony criminal offenses of engaging in sexual intercourse or intrusion by persons employed at correctional institutions or as supervisory probation or parole officers; and penalties.

Be it enacted by the Legislature of West Virginia:

That section twenty-two, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article eight-b, chapter sixty-

one of said code be amended by adding thereto a new section, designated section ten, to read as follows:

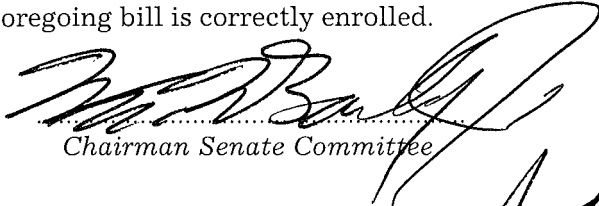
ARTICLE 8B. SEXUAL OFFENSES.

§61-8B-10. Imposition of sexual intercourse or sexual intrusion on incarcerated persons; penalties.

1 (a) Any person employed by the division of corrections,
2 any person working at a correctional facility managed by
3 the commissioner of corrections pursuant to contract or as
4 an employee of a state agency, any person working at a
5 correctional facility managed by the division of juvenile
6 services pursuant to contract or as an employee of a state
7 agency, any person employed by a county jail or by the
8 regional jail and correctional facility authority or any
9 person working at a facility managed by the regional jail
10 and correctional facility authority or a county jail who
11 engages in sexual intercourse or sexual intrusion with a
12 person who is incarcerated in this state is guilty of a felony
13 and, upon conviction thereof, shall be confined in a state
14 correctional facility under the control of the commissioner
15 of corrections for not less than one nor more than five
16 years or fined not more than five thousand dollars.

17 (b) Any person employed by the division of corrections
18 as a parole officer or by the West Virginia supreme court
19 of appeals as an adult or juvenile probation officer who
20 engages in sexual intercourse or sexual intrusion with a
21 person said parole officer or probation officer is charged
22 as part of his or her employment with supervising, is guilty
23 of a felony and, upon conviction thereof, shall be confined
24 in a state correctional facility under the control of the
25 commissioner of corrections for not less than one nor more
26 than five years or fined not more than five thousand
27 dollars, or both.

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



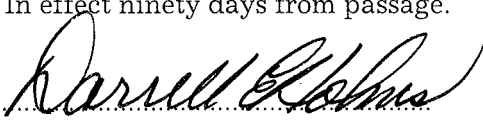
Chairman Senate Committee



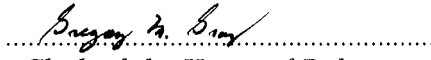
Chairman House Committee

Originated in the Senate.

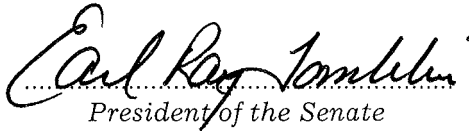
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

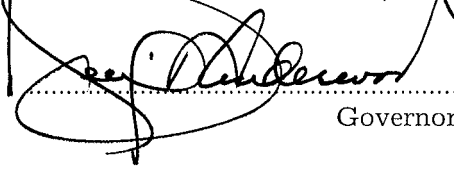


President of the Senate



Speaker House of Delegates

The within..... *approved* this the *4th*
Day of..... *April*, 200*9*



Governor

PRESENTED TO THE

GOVERNOR

Date 3/28/10

Time 3:00 pm