WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2005

ENROLLED

House Bill No. 2482

(By Delegate Pino)

Passed April 9, 2005

In Effect Ninety Days from Passage
AN ACT to amend and reenact §62-8-1 of the Code of West Virginia, 1931, as amended, relating to including jails within the context certain criminal acts by incarcerated persons; providing a specific crime for setting fire to a correctional facility or jail; and including the Executive Director of the Regional Jail and Correctional Facility Authority relative to the applicability of the phrase “a person imprisoned or otherwise in custody of” to the statutory provisions.

Be it enacted by the Legislature of West Virginia:

That §62-8-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 8. CRIMES BY AND PROCEEDINGS AGAINST CONVICTS.

§62-8-1. Offenses by inmates; conspiracy.

1 A person imprisoned or otherwise in the custody of the
2 Commissioner of Corrections or the Executive Director of the
3 Regional Jail and Correctional Facility Authority is guilty of a
felony if he or she kills, wounds or inflicts other bodily injury upon any person at any correctional facility; or breaks, cuts or injures, or sets fire to any building, fixture or fastening of any correctional facility, or jail or any part thereof, for the purpose of escaping or aiding any other inmate to escape therefrom, or renders any correctional facility or jail less secure as a place of confinement; or makes, procures, secretes or has in his or her possession, any instrument, tool or other thing for such purpose, or with intent to kill, wound or inflict bodily injury; or resists the lawful authority of an officer or guard of any correctional facility or jail for such purpose or with such intent. Any three or more inmates so confined, or in such custody, who conspire together to commit any offense mentioned in this section are each guilty of a felony.
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.

In 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 is approved this the 29th day of April, 2005.

Governor