

FILED

2005 APR 29 A 11:30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

FILED

2005 APR 29 A 11: 30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

H. B. 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

4 felony if he or she kills, wounds or inflicts other bodily injury
5 upon any person at any correctional facility; or breaks, cuts or
6 injures, or sets fire to any building, fixture or fastening of any
7 correctional facility, or jail or any part thereof, for the purpose
8 of escaping or aiding any other inmate to escape therefrom, or
9 renders any correctional facility or jail less secure as a place of
10 confinement; or makes, procures, secretes or has in his or her
11 possession, any instrument, tool or other thing for such purpose,
12 or with intent to kill, wound or inflict bodily injury; or resists
13 the lawful authority of an officer or guard of any correctional
14 facility or jail for such purpose or with such intent. Any three
15 or more inmates so confined, or in such custody, who conspire
16 together to commit any offense mentioned in this section are
17 each guilty of a felony.

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

Handwritten signature of Sandy Lotz

Chairman Senate Committee

Handwritten signature of H. Luke Burg

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Handwritten signature of David Williams

Clerk of the Senate

Handwritten signature of Gregg W. Smith

Clerk of the House of Delegates

Handwritten signature of Carl Ray Tomblin

President of the Senate

Handwritten signature of Speaker of the House of Delegates

Speaker of the House of Delegates

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

Handwritten signature of Governor

Governor

PRESENTED TO THE
GOVERNOR

APR 26 2005

Time 11:00 am