WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

Senate Bill No. 148

(Senators Prezioso, Yoder, Foster, Stollings, Kessler and Hunter, original sponsors)

[Passed February 26, 2007; in effect ninety days from passage.]
AN ACT to amend and reenact §61-8-9 of the Code of West Virginia, 1931, as amended, relating to providing that breast feeding a child in public or private shall not be considered public indecency.

Be it enacted by the Legislature of West Virginia:

That §61-8-9 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.


1 (a) A person is guilty of indecent exposure when such person intentionally exposes his or her sex organs or anus or the sex organs or anus of another person, or intentionally causes such exposure by another or engages in any overt act of sexual gratification and does so under circumstances in which the person knows that the conduct is likely to cause affront or alarm:

Provided, That it is not considered indecent exposure for a mother to breast feed a child in any location, public or private.

(b) Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than ninety days, or fined not more than two hundred fifty 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 is disapproved this the 15th Day of March, 2007.

Governor