WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 457
(Senators D. Facemire, Foster and Kessler, original sponsors)

[Passed March 13, 2010; in effect ninety days from passage.]
AN ACT to repeal §61-1-6 of the Code of West Virginia, 1931, as amended; to repeal §61-2-17, §61-2-18, §61-2-19, §61-2-20, §61-2-21, §61-2-22, §61-2-23, §61-2-24 and §61-2-25 of said code; to repeal §61-6-16 of said code; to repeal §61-8-3, §61-8-4 and §61-8-15 of said code; to repeal §61-10-18, §61-10-25, §61-10-26, §61-10-27, §61-10-28 and §61-10-29 of said code; and to amend and reenact §61-1-7 of said code, repealing outmoded criminal sections of the code relating generally to the display of a red or black flag and the accompanying penalty; keeping doors of vehicles for hire locked while in motion; dueling; wearing hats in theaters; adultery and lewd cohabitation; conducting bucket shops; public swearing and drunkenness; engaging in certain work, labor or business activities on Sunday; and clarifying the penalty provision for unlawful speeches, publications and communications.

Be it enacted by the Legislature of West Virginia:

code be repealed; that §61-6-16 of said code be repealed; that
§61-8-3, §61-8-4 and §61-8-15 of said code be repealed; that
§61-10-29 be repealed; and that §61-1-7 of said code be
amended and reenacted to read as follows:

ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.

§61-1-7. Penalty for unlawful speeches, publications and
communications.

1 Any person violating any of the provisions of section five
2 of this article, shall, for the first offense, be guilty of a
3 misdemeanor, and, upon conviction, shall be fined not less
4 than $100 nor more than $500, or, in the discretion of the
5 court, be confined in jail not exceeding twelve months, or
6 both; and, for the second offense, shall be guilty of a
7 felony, and, upon conviction shall be confined in a state
8 correctional facility not less than one nor more than five
9 years.
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 bill was approved this the 31st Day of .

Governor

2010.