Committee Substitute

for

Senate Bill 327

SENATORS WELD, BOSO, GAUNCH, CLINE, AND DRENNAN,

original sponsors

[Passed March 5, 2018; in effect 90 days from passage]
WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 327

SENATORS WELD, BOSO, GAUNCH, CLINE, AND DRENNAN,

original sponsors

[Passed March 5, 2018; in effect 90 days from passage]
AN ACT to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating to the crime of extortion; providing that extorting anything of value, including sexual contact, sexual intercourse, or an image of an intimate body part qualifies as extortion and subjects a person to a criminal penalty; defining terms; and establishing criminal penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-13. Extortion or attempted extortion by threats; penalties.

(a) A person who threatens injury to the character, person, or property of another person, or to the character, person, or property of his or her spouse or child, or accuses him or her or them of a criminal offense, and thereby obtains anything of value, or other consideration, he or she is guilty of a felony and, upon conviction, shall be confined in a correctional facility not less than one nor more than five years. A person who makes such threat of injury or accusation of an offense as set forth in this section, but fails to obtain anything of value or other consideration, is guilty of a misdemeanor and, upon conviction, shall be confined in jail not less than two nor more than 12 months and fined not less than $50 nor more than $500.

(b) For purposes of this article, “consideration” includes sexual acts as defined in §61-8B-1 of this code, and images of intimate parts defined in §61-8-28a of this code.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman, Senate Committee

[Signature]
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within ... approved ...... this the. 20th Day of __________ 2018.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

Time 2:00 PM