

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

**Enrolled
Committee Substitute
for
Senate Bill 37**

SENATORS WOELFEL, TRUMP, AND OJEDA, *original sponsors*

[Passed March 2, 2018; in effect 90 days from passage]

FILED

2018 MAR 20 P 4: 49

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SB 37

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1 AN ACT to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating
2 to the crime of burglary; eliminating the offense of daytime burglary; making breaking and
3 entering or entering without breaking into a dwelling or outbuilding thereof a felony
4 regardless of time of day; and establishing the criminal penalty for burglary.

Be it enacted by the Legislature of West Virginia:

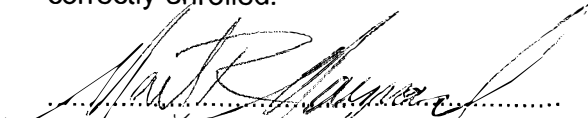
ARTICLE 3. CRIMES AGAINST PROPERTY.

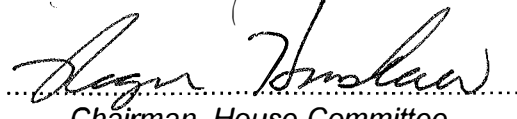
§61-3-11. Burglary; entry of dwelling or outhouse; penalties.

1 (a) Any person who breaks and enters, or enters without breaking, a dwelling house or
2 outbuilding adjoining a dwelling with the intent to commit a violation of the criminal laws of this
3 state is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional
4 facility for not less than one nor more than 15 years.

5 (b) The term “dwelling house”, as used in §61-3-11(a) of this code, includes, but is not
6 limited to, a mobile home, house trailer, modular home, factory-built home, or self-propelled motor
7 home, used as a dwelling regularly or only from time to time, or any other nonmotorized vehicle
8 primarily designed for human habitation and occupancy and used as a dwelling regularly or only
9 from time to time.


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


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Chairman, Senate Committee

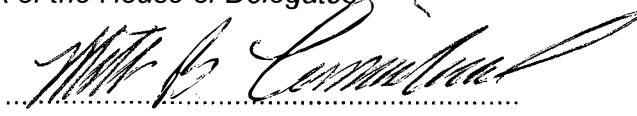

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate

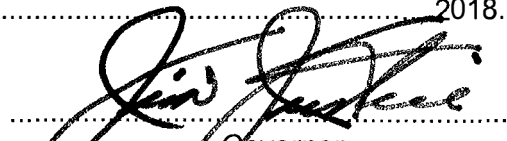

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Speaker of the House of Delegates

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2018 MAR 20 P 4: 50

FILED

The within is approved this the 20th
Day of March 2018.


.....
Governor

PRESENTED TO THE GOVERNOR

Time 2:00 pm