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]
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Committee Substitute for
Senate Bill 37

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[Passed March 2, 2018; in effect 90 days from passage]
AN ACT to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating
to the crime of burglary; eliminating the offense of daytime burglary; making breaking and
entering or entering without breaking into a dwelling or outbuilding thereof a felony
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.

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

(b) The term "dwelling house", as used in §61-3-11(a) of this code, includes, but is not
limited to, a mobile home, house trailer, modular home, factory-built home, or self-propelled motor
home, used as a dwelling regularly or only from time to time, or any other nonmotorized vehicle
primarily designed for human habitation and occupancy and used as a dwelling regularly or only
from time to time.
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 is approved this the 20th

Day of March

2018.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

Time 2:00 PM