WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

House Bill 4510

BY DELEGATES STEELE, CRISS, GRAVES, HOWELL, D. KELLY,
MILLER, SHOTT, N. BROWN, MAYNARD AND FAST

(BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY)

[Passed March 3, 2020; in effect ninety days from
passage.]
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Enr. HB 4510

1 AN ACT to amend and reenact §62-8-1 of the Code of West Virginia, 1931, as amended, relating
to creating the offense of bodily intrusion by an inmate in the custody of the Commissioner
of Corrections and Rehabilitation; defining terms; and establishing criminal penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. CRIMES BY AND PROCEEDINGS AGAINST INMATES.

§62-8-1. Offenses by inmates; conspiracy.

(a) A person imprisoned or otherwise in the custody of the Commissioner of Corrections
and Rehabilitation is guilty of a felony if he or she kills, wounds, or inflicts other bodily injury upon
any person at any correctional facility; or breaks, cuts, or injures, or sets fire to any building,
fixture, or fastening of any correctional facility, or jail or any part thereof, for the purpose of
escaping or aiding any other inmate to escape therefrom, or renders any correctional facility or
jail less secure as a place of confinement; or makes, procures, secretes, or has in his or her
possession, any instrument, tool, or other thing for such purpose, or with intent to kill, wound, or
inflict bodily injury; or resists the lawful authority of an officer or guard of any correctional facility
or jail for such purpose or with such intent. Any three or more inmates confined, or in custody,
who conspire together to commit any offense mentioned in this section are each guilty of a felony.

(b) Any person in the custody of the Commissioner of Corrections and Rehabilitation who
commits an act of bodily intrusion is guilty of a felony and, upon conviction thereof, shall be
imprisoned for not less than one year nor more than five years. As used in this subsection “bodily
intrusion” means penetration, however slight, of the anus of a male or female or the sex organ of
a female without his or her consent by means of forcible compulsion and for reasons other than
the sexual gratification of either person.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the 25th day of March, 2020.

Governor
PRESENTED TO THE GOVERNOR

MAR 12 2020

Time 2:30 pm