WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Enrolled
Committee Substitute
for
Senate Bill 392

BY SENATORS HAMILTON, LINDSAY, BALDWIN, AND
ROMANO

[Passed April 8, 2021; in effect 90 days from passage (July 7, 2021)]
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[Passed April 8, 2021; in effect 90 days from passage (July 7, 2021)]
AN ACT to amend §61-1-9 of the Code of West Virginia, 1931, as amended, relating to modifying the penalty for impersonation of a law-enforcement officer or official by adding a period of possible incarceration as a criminal penalty.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.

§61-1-9. Impersonation of law-enforcement officer or official; penalty.

Any person who shall falsely represent himself or herself to be a law-enforcement officer or law-enforcement official or to be under the order or direction of any such person, or any person not a law-enforcement officer or law-enforcement official who shall wear the uniform prescribed for such persons, or the badge or other insignia adopted for use by such persons with the intent to deceive another person, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $100 nor more than $1,000, or confined in jail for not more than six months, or both fined and confined.

For purposes of this section, the terms law-enforcement officer and law-enforcement official shall be defined in §30-29-1 of this code, except that such terms shall not include members of the Department of Homeland Security and shall not include individuals hired by nonpublic entities for the provision of security services.
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 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 19th Day of April, 2021.

Governor