

FILED

2005 MAY -3 A 8: 59

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2005



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 3049**

(By Mr. Speaker, Mr. Kiss, and Delegates Beach,
Pino, Stalnaker, Amores, Poling, Varner and Stemple)



Passed April 9, 2005

In Effect Ninety Days from Passage

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COMMITTEE SUBSTITUTE

FOR

H. B. 3049

(BY MR. SPEAKER, MR. KISS, AND DELEGATES BEACH,
PINO, STALNAKER, AMORES, POLING, VARNER AND STEMPLER)

[Passed April 9, 2005; in effect ninety days from passage]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-9C, relating to creating a new crime of wanton endangerment involving the use of fire; and imposing a criminal penalty.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §61-2-9C, to read as follows:

ARTICLE 3. CRIMES AGAINST THE PERSON.

§61-2-9c. Wanton endangerment involving the use of fire; penalty.

1 Any person who, during the manufacture or production of
2 an illegal controlled substance uses fire, the use of which
3 creates substantial risk of death or serious bodily injury to
4 another due to the use of fire, is guilty of a felony and, upon
5 conviction, shall be committed to the custody of the Division of
6 Corrections for a definite term of years of not less than one nor
7 more than five years or, in the discretion of the court, confined
8 in the regional jail for not more than one year, or fined not less
9 than two hundred fifty dollars or more than two thousand five
10 hundred dollars, or both.

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

Charley White
Chairman Senate Committee

H. Ruth Bay
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell Holmes
Clerk of the Senate

Bryce W. Bay
Clerk of the House of Delegates

Carl Ray Tomblin
President of the Senate

[Signature]
Speaker of the House of Delegates

The within *is approved* this the *2nd* day of *May*, 2005.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

MAY 2 2005

Time 10:25 AM