

1 **H. B. 2382**

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3 (By Delegates Swartzmiller, Manypenny and Shaver)  
4 [Introduced January 12, 2011; referred to the  
5 Committee on the Judiciary.]  
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §61-5-30, relating to  
12 requiring witnesses of violent acts or emergency situations to  
13 report the incident to law-enforcement authorities.

14 *Be it enacted by the Legislature of West Virginia:*

15 That the Code of West Virginia, 1931, as amended, be amended  
16 by adding thereto a new section, designated §61-5-30, to read as  
17 follows:

18 **ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.**

19 **§61-5-30. Reporting of violent acts and emergency situations;**  
20 **penalties.**

21 (a) When any person sees, witnesses or otherwise is aware of  
22 an act of violence against another person or a situation that  
23 constitutes an emergency, that person shall immediately notify, or

1 otherwise inform, the local police, the county sheriff or State  
2 Police in a way that will permit that law-enforcement authority to  
3 respond in a timely manner. However, the notification may be made  
4 anonymously.

5 (b) Any person who, in good faith, reports any act required by  
6 this section is immune from civil or criminal liability that might  
7 otherwise result by reason of such actions.

8 (c) When any person required by this section to report an act  
9 of violence against another person or a situation that constitutes  
10 an emergency knowingly fails to report an incident that results in  
11 the death of an innocent individual, that person is guilty of a  
12 misdemeanor and, upon conviction thereof, shall be confined in jail  
13 for not more than ten days or fined not more than \$500, or both.

NOTE: The purpose of this bill is to require witnesses of violent acts against persons and emergency situations to report the incidents to the appropriate law-enforcement authorities.

This section is new; therefore, it has been completely underscored.