

H. B. 4105

(By Delegates Morgan, Stephens, Butcher,
Talbott, Swartzmiller, Ferns, Jones, Romine,
Kump, Nelson and Storch)

[Introduced January 18, 2012; referred to the
Committee on Government Organization then the Judiciary.]



A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §61-3-49b, relating
to the disruption of emergency communication; defining terms;
and establishing criminal penalties.

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 §61-3-49b, to read as
follows:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-49b. Disruption of emergency communications.

(a) No person may:

(1) Intentionally prevent or hinder the initiation, making or
completion of an emergency or other such communication by another
person; or

(2) Disrupt emergency or other such communication by theft of
equipment or other means with the intent to remove such equipment

1 to commit larceny.

2 (b) For the purpose of this section, "emergency communication"
3 means any means of communication that allows the transmission of
4 warnings or other information pertaining to any crime, fire,
5 accident, power outage, disaster or risk of injury or damage to any
6 person or property, including, but not limited to, telephone lines,
7 cellular telephone towers and equipment, radio channels, railroad
8 communication devices, electrical towers and equipment, and utility
9 lines.

10 © Any person that violates any provision of this section is
11 guilty of a felony and, upon conviction thereof, shall be confined
12 in a correctional facility not more than ten years or fined not
13 more than \$10,000, or both.

NOTE: The purpose of this bill is to make it a criminal offense to disrupt emergency communications.

§61-3-49b is new; therefore, it has been completely underscored.

This bill was recommended for introduction and passage during the 2012 Regular Session of the Legislature by the Joint Standing Committee on Government Organization.