

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 2083

BY DELEGATE RODIGHIERO AND FRICH

[Originating in the Committee on Judiciary]

1 A BILL to amend and reenact §60A-10-12 of the Code of West Virginia, 1931, as amended,
2 relating to the Methamphetamine Laboratory Eradication Act; and increasing the felony
3 criminal penalty for knowingly causing or permitting a minor to be present in a location
4 where methamphetamine is manufactured or attempted to be manufactured.

Be it enacted by the Legislature of West Virginia:

1 That §60A-10-12 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 10. METHAMPHETAMINE LABORATORY ERADICATION ACT.

§60A-10-12. Exposure of children to methamphetamine manufacturing; penalties.

1 (a) Any person eighteen years of age or older who knowingly causes or permits a minor
2 to be present in a location where methamphetamine is manufactured or attempted to be
3 manufactured is guilty of a felony and, upon conviction, shall be ~~confined~~ imprisoned in a state
4 correctional facility for not less than ~~one~~ two nor more than ~~five~~ ten years, fined not more than
5 \$10,000, or both fined and imprisoned: *Provided, That if the minor suffers a serious bodily injury*
6 while present in such location, the penalty for a violation of this subsection shall be imprisonment
7 in a state correctional facility for not less than three nor more than fifteen years, fined not more
8 than \$25,000, or both fined and imprisoned.

9 ~~(b) Notwithstanding the provisions of subsection (a) of this section, the penalty for a~~
10 ~~violation of said subsection when the child suffers serious bodily injury as such is defined in the~~
11 ~~provisions of section one, chapter eight-b of this code shall be confined in a state correctional~~
12 ~~facility for not less than three nor more than fifteen years, fined not more than twenty-five thousand~~
13 ~~dollars, or both.~~

14 (b) As used in subsection (a) of this section, "serious bodily injury" shall have the same
15 meaning as this term is defined in section one, article eight-b, chapter sixty-one of this code.

CS for HB 2083

NOTE: The purpose of this bill is to increase the penalties for exposing children to methamphetamine manufacturing.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.