

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 327**

SENATORS WELD, BOSO, GAUNCH, CLINE, AND DRENNAN,

*original sponsors*

[Passed March 5, 2018; in effect 90 days from passage]



1 AN ACT to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating  
2 to the crime of extortion; providing that extorting anything of value, including sexual  
3 contact, sexual intercourse, or an image of an intimate body part qualifies as extortion and  
4 subjects a person to a criminal penalty; defining terms; and establishing criminal penalties.

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

**ARTICLE 2. CRIMES AGAINST THE PERSON.**

**§61-2-13. Extortion or attempted extortion by threats; penalties.**

1 (a) A person who threatens injury to the character, person, or property of another person,  
2 or to the character, person, or property of his or her spouse or child, or accuses him or her or  
3 them of a criminal offense, and thereby obtains anything of value, or other consideration, he or  
4 she is guilty of a felony and, upon conviction, shall be confined in a correctional facility not less  
5 than one nor more than five years. A person who makes such threat of injury or accusation of an  
6 offense as set forth in this section, but fails to obtain anything of value or other consideration, is  
7 guilty of a misdemeanor and, upon conviction, shall be confined in jail not less than two nor more  
8 than 12 months and fined not less than \$50 nor more than \$500.

9 (b) For purposes of this article, "consideration" includes sexual acts as defined in §61-8B-  
10 1 of this code, and images of intimate parts defined in §61-8-28a of this code.



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

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2018.

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*Governor*