

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 574**

SENATORS WELD AND CLINE, *original sponsors*

[Passed March 7, 2018; in effect 90 days from passage]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §61-3-59, relating to creating the offense of misrepresentation of military status  
3 or honors with the intent to obtain money, property, or anything of value; and providing  
4 criminal penalties based upon value.

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

**ARTICLE 3. CRIMES AGAINST PROPERTY.**

**§61-3-59. Misrepresentation of past or present military status or military awards to obtain anything of value; penalties.**

1 (a) Any person who misrepresents himself or herself to:

2 (1) Be a member or veteran of the armed forces of the United States; or

3 (2) Be a recipient of any military commendation, decoration, or medal awarded to  
4 members of the armed forces of the United States or the several states who does so with the  
5 intent to obtain money, property, or a thing of value is guilty of the offense of misrepresentation  
6 of military status.

7 (b)(1) Any person violating the provisions of §61-3-59(a) of this code where the value of  
8 the money, property, or thing of value is \$1,000 or more shall be guilty of a felony and, upon  
9 conviction thereof, be fined not more than \$5,000, or imprisoned in a state correctional facility for  
10 not less than one nor more than 10 years, or both fined and imprisoned.

11 (2) Any person violating the provisions of §61-3-59(a) of this code where the value of the  
12 money, property, or thing of value is \$999 or less, shall be guilty of a misdemeanor and, upon  
13 conviction thereof, shall be fined not more than \$2,500, or confined in jail for not more than one  
14 year, or both fined and confined.



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*