

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Committee Substitute

for

House Bill 2602

BY DELEGATE MILLER, CANESTRARO, N. BROWN, D. KELLY,

FOSTER AND STEELE

[Introduced January 8, 2020; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §61-3-18 of the Code of West Virginia, 1931, as amended, relating
2 to receiving or transferring stolen property; providing that to knowingly possess stolen
3 goods is an element of the offense of receiving or transferring stolen property; and
4 providing an exception for certain purchasers of scrap metal.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-18. Receiving or transferring stolen goods.

1 If any person buys or receives from another person, or aids in concealing, or transfers to
2 a person other than the owner thereof, or possesses any stolen goods or other thing of value,
3 which he or she knows or has reason to believe has been stolen, ~~he shall be deemed~~ that person
4 is guilty of the larceny thereof, and may be prosecuted although the principal offender ~~be not~~ has
5 not been convicted; Provided, that purchasers of scrap metal, who are in compliance with the
6 provisions of §61-3-49 of this Code, are exempt from the provisions of this section.

NOTE: The purpose of this bill is to include possession of known stolen property in the offense of receiving or transferring stolen property.

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