WEST virginia legislature

2023 regular session

Introduced

Senate Bill 630

By Senators Rucker, Trump, Woelfel, Deeds, Grady, Barrett, and Hamilton

[Introduced February 14, 2023; referred
 to the Committee on the Judiciary]

 A BILL to amend the Code of West Virginia 1931, as amended, by adding thereto a new section, designated §61-5-17a, relating to creating the offense of knowingly and willfully obstructing a social service worker, a person acting in his or her official capacity; defining social service worker; and establishing the penalty therefor as life in prison with parole eligibility after service of 15 years.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17a. Willfully obstructing a social service worker causing death; definitions; penalty.

(a) Notwithstanding any provision of this code to the contrary, any person who knowingly and willfully obstructs a social service worker lawfully acting in his or her official capacity and thereby proximately causes the death of a social service worker so acting, is guilty of a felony, and upon conviction thereof, shall be imprisoned in a state correctional facility for a term of 15 years to life.

(b) "Social services worker" means a person employed by a governmental or private entity to provide social services such as investigating allegations of child or adult abuse or neglect, working with delinquent youth, providing mental health and educational assistance through field work and home visits.

NOTE: The purpose of this bill is to create the criminal offense of knowingly and willfully obstructing a social service worker, a person acting in his or her official capacity.

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