

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4492

(By Delegates Howard, Caruth, Sobonya and Armstead)



Passed March 13, 2004

In Effect Ninety Days from Passage

FILED

2004 APR -6 P 2:24

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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COMMITTEE SUBSTITUTE

FOR

H. B. 4492

(BY DELEGATES HOWARD, CARUTH, SOBONYA AND ARMSTEAD)

[Passed March 13, 2004; in effect ninety days from passage.]

AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-3C-14b, relating to creating the criminal offense of soliciting certain minors or one believed to be a minor via computer to commit violations of certain criminal laws; and providing penalties.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §61-3C-14b, to read as follows:

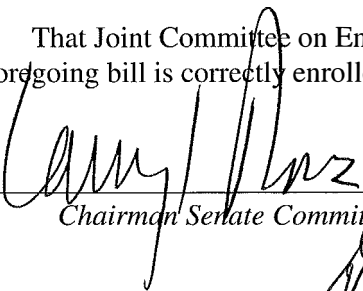
ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.

§61-3C-14b. Soliciting, etc. a minor via computer; penalty.

1 Any person over the age of eighteen, who knowingly uses
2 a computer to solicit, entice, seduce or lure, or attempt to

3 solicit, entice, seduce or lure, a minor known or believed to be
4 at least four years younger than the person using the computer
5 or a person he or she believes to be such a minor, to commit
6 any illegal act proscribed by the provisions of articles eight,
7 eight-b, eight-c or eight-d of this chapter, or any felony offense
8 under section four hundred one, article four, chapter sixty-a of
9 this code, is guilty of a felony and, upon conviction thereof,
10 shall be fined not more than five thousand dollars or imprisoned
11 in a state correctional facility not less than two nor more than
12 ten years, or both.

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



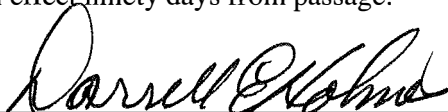
Chairman Senate Committee



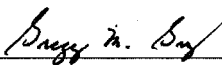
Chairman House Committee

Originating in the House.

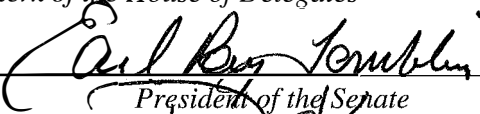
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 14th
day of April, 2004.



Governor

3/26/04
3:50