

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2083

BY DELEGATES RODIGHIERO AND FRICH

[Passed April 8, 2017; in effect ninety days from passage.]

1 AN ACT to amend and reenact §60A-10-12 of the Code of West Virginia, 1931, as amended,
2 relating to the Methamphetamine Laboratory Eradication Act; increasing the felony
3 criminal penalty for knowingly causing or permitting a minor to be present in a location
4 where methamphetamine is manufactured or attempted to be manufactured; clarifying that
5 knowingly causing or permitting a minor to be present in a location where
6 methamphetamine is manufactured and thereby causing the minor serious bodily injury is
7 a separate, distinct offense; and clarifying the definition of serious bodily injury.

Be it enacted by the Legislature of West Virginia:

1 That §60A-10-12 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 10. METHAMPHETAMINE LABORATORY ERADICATION ACT.

§60A-10-12. Exposure of children to methamphetamine manufacturing; penalties.

1 (a) Any person eighteen years of age or older who knowingly causes or permits a minor
2 to be present in a location where methamphetamine is manufactured or attempted to be
3 manufactured is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state
4 correctional facility for not less than two nor more than ten years, fined not more than \$10,000, or
5 both.

6 (b) Notwithstanding the provisions of subsection (a) of this section, any person eighteen
7 years of age or older who knowingly causes or permits a minor to be present in a location where
8 methamphetamine is manufactured or attempted to be manufactured and the child thereby suffers
9 serious bodily injury is guilty of a felony and, upon conviction thereof, shall be imprisoned in a
10 state correctional facility for not less than three nor more than fifteen years, fined not more than
11 \$25,000, or both imprisoned and fined.

12 (c) As used in subsection (b) of this section, "serious bodily injury" shall have the same
13 meaning as this term is defined in section one, article eight-b, chapter sixty-one of this code.

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2017.

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Governor