

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2083

**FISCAL
NOTE**

BY DELEGATE RODIGHIERO AND FRICH

[Introduced February 8, 2017; Referred
to the Committee on Prevention and Treatment of
Substance Abuse then the Judiciary.]

1 A BILL to amend and reenact §60A-10-12 of the Code of West Virginia, 1931, as amended,
 2 relating to the Uniform Controlled Substances Act; the Methamphetamine Laboratory
 3 Eradication Act; and increasing the felony criminal penalties for exposing children to
 4 methamphetamine manufacturing.

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, shall be ~~confined~~ imprisoned in a state
 4 correctional facility for not less than ~~one~~ five nor more than ~~five~~ thirty years, fined not more than
 5 \$10,000, or both fined and imprisoned.

6 (b) Notwithstanding the provisions of subsection (a) of this section, the penalty for a
 7 violation of ~~said~~ the subsection when the child suffers serious bodily injury as ~~such~~ is defined in
 8 the provisions of section one, ~~chapter~~ article eight-b, chapter sixty one of this code shall be
 9 ~~confined~~ imprisoned in a state correctional facility for not less than ~~three~~ ten nor more than ~~fifteen~~
 10 thirty years, fined not more than \$25,000, or both fined and imprisoned.

NOTE: The purpose of this bill is to increase the penalties for exposing children to methamphetamine manufacturing.

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