

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 315

BY SENATORS JEFFRIES, BALDWIN, BEACH, OJEDA,
PREZIOSO, ROMANO, SMITH, FACEMIRE, STOLLINGS,
CLINE, BOSO, AND PLYMALE

[Introduced January 18, 2018; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-1-9 of the Code of West Virginia, 1931, as amended, relating
 2 to increasing the misdemeanor penalty for impersonation of a law-enforcement officer or
 3 official to include the possibility of confinement in jail.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.

§61-1-9. Impersonation of law-enforcement officer or official; penalty.

1 Any person who ~~shall falsely represent~~ falsely represents himself or herself to be a law-
 2 enforcement officer or law-enforcement official or to be under the order or direction of any such
 3 person, or any person not a law-enforcement officer or law-enforcement official who ~~shall wear~~
 4 wears the uniform prescribed for ~~such~~ those persons, or the badge or other insignia adopted for
 5 use by ~~such~~ those persons with the intent to deceive another person, is guilty of a misdemeanor
 6 and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 or confined
 7 in jail for a period not exceeding six months, or both fined and confined.

8 For purposes of this section, the terms law-enforcement officer and law-enforcement
 9 official ~~shall be~~ is defined by §30-29-1 of this code, except that ~~such~~ the terms ~~shall~~ do not include
 10 members of the ~~division of public safety~~ State Police and ~~shall~~ do not include individuals hired by
 11 nonpublic entities for the provision of security services.

NOTE: The purpose of this bill is to add the possibility of jail time to the offense of impersonating a law-enforcement officer or official.

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