

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 392

BY SENATORS HAMILTON, LINDSAY, BALDWIN, AND

ROMANO

[Introduced February 22, 2021; referred
to the Committee on the Judiciary]

1 A BILL to amend §61-1-9 of the Code of West Virginia, 1931, as amended, relating to creating
 2 the penalty of incarceration to a conviction for the impersonation of a law-enforcement
 3 officer or official.

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

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

NOTE: The purpose of this bill is to add the potential penalty of incarceration to any conviction of the impersonation of a law-enforcement officer.

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