

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3491

By Delegate Rowe

[Introduced February 14, 2023; Referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §61-2-1a, relating to clarifying the offense of the intentional murder of a law
 3 enforcement officer or corrections officer in the line of duty as felony murder; and adding a
 4 mandatory life sentence.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON

§61-2-1a. Penalty for murder of an officer in the line of duty.

1 The intentional murder of a law-enforcement officer or a corrections officer with a deadly
 2 weapon that is committed while the law-enforcement officer or corrections officer is lawfully
 3 engaged in the proper performance of his or her duties, and the perpetrator knew specifically that
 4 the law-enforcement officer or corrections officer was lawfully engaged in the proper performance
 5 of his or her duties, shall be felony murder. A person who is convicted under this section shall be
 6 punished by confinement in a correctional facility for life.

NOTE: The purpose of this bill is to classify the intentional murder of a law-enforcement officer or corrections officer with a deadly weapon as felony murder, and to provide for a mandatory life sentence upon conviction.

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