

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 578

By Senators Trump, Woelfel, and Deeds

[Introduced January 26, 2024; referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating to
 2 clarifying that the offense of burglary involves a dwelling or outbuilding belonging to
 3 another; and establishing penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-11. Burglary; entry of dwelling or outhouse; penalties.

1 (a) Any person who breaks and enters, or enters without breaking, a dwelling house of
 2 another or outbuilding adjoining such a dwelling with the intent to commit a violation of the criminal
 3 laws of this state is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state
 4 correctional facility for not less than one nor more than 15 years.

5 (b) The term "dwelling house", as used in §61-3-11(a) of this code, includes, but is not
 6 limited to, a mobile home, house trailer, modular home, factory-built home, or self-propelled motor
 7 home, used as a dwelling regularly or only from time to time, or any other nonmotorized vehicle
 8 primarily designed for human habitation and occupancy and used as a dwelling regularly or only
 9 from time to time.

NOTE: The purpose of this bill is to clarify that the offense of burglary involves a dwelling or outbuilding belonging to another.

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