

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2066

BY DELEGATES AKERS, HALL, D. SMITH, T. HOWELL,
DRENNAN, LEAVITT, KYLE, HECKERT, HORNBY, AND
KELLY

[Passed April 12, 2025; in effect 90 days from
passage (July 11, 2025)]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated as §61-3-60, relating to damage, destruction, or theft of property or equipment
3 used by emergency responders; creating a felony offense for damaging, destroying, or
4 stealing certain property of an emergency responder; creating elements of the new felony
5 offense; specifying that felony offense is a separate and distinct offense; creating
6 definitions; and creating criminal penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-60. Damage, destruction, or theft of equipment used by emergency responders; criminal penalties.

1 (a) Any person who knowingly and willfully damages, destroys, or commits the larceny of
2 any equipment, or personal property, owned or operated by the state, a county or a municipality
3 of this state, a volunteer fire department of this state, or a private entity that has contracted with
4 the state or a county or municipality of the state for the performance of emergency response
5 duties, that is used by emergency responders in the performance of emergency response duties,
6 whether that equipment or personal property is in use or maintained in a garage or other building,
7 structure, or location, and that action thereby creates a substantial risk of bodily injury or actual
8 bodily injury to another person, results in property loss to any person served by the emergency
9 responder, or results in the interruption of service by emergency responders to the public, is guilty
10 of a felony and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned in a
11 state correctional facility not less than one nor more than three years, or both fined and
12 imprisoned.

13 (b) The offense established by this section shall be in addition to and a separate and
14 distinct offense from any other offense set forth in this code.

15 (c) For purposes of this section:

(1) "Emergency responder" has the same meaning as that term is defined in §5H-1-2 of this code and shall additionally include any entity of a political subdivision of the state providing emergency services pursuant to the provisions of §15-5-8 of this code and any county commission, political subdivision, or county 911 public safety answering point.

(2) "Emergency response duties" has the same meaning as that term is defined in §5H-1-2 of this code and shall additionally include disaster response activities and emergency services as those terms are defined in §15-5-2 of this code and activities of a county commission, political subdivision, or county 911 public safety answering point in providing emergency responder services.

The Clerk of the House of Delegates and the Clerk of the Senate hereby
certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2025.

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Governor