

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Committee Substitute

for

House Bill 2066

By Delegates Akers, Hall, D. Smith, T. Howell,

Drennan, Leavitt, and Kyle

[Originating in the Committee on the Judiciary;

Reported on February 20, 2025]

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

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

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

(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.

(2) "Emergency response duties" has the same meaning as that term is defined in §5H-1-2

17 of this code.

NOTE: The purpose of this bill is to create a felony offense of damaging, destroying, or stealing equipment used by first responders in their duties.

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