WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 584

By Senators Helton and Fuller

[Introduced February 24, 2025; referred
to the Select Committee on Substance Use Disorder; and Mental Health; and then to the Committee on the Judiciary]

A BILL to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating to increasing the sentence for the offense of delivery of a controlled substance or counterfeit controlled substance when the use, ingestion, or consumption thereof results in death, to a determinate sentence of life; providing that the sentence may not be suspended; and providing that this bill shall be known as Lauren’s Law.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. OFFENSES AND PENALTIES.

§60A-4-416. Drug delivery resulting in death; failure to render aid.

(a) Any person who knowingly and willfully delivers a controlled substance or counterfeit controlled substance in violation of the provisions of section four hundred one, article four of this chapter for an illicit purpose and the use, ingestion or consumption of the controlled substance or counterfeit controlled substance alone or in combination with one or more other controlled substances, proximately causes the death of a person using, ingesting or consuming the controlled substance, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a determinate sentence of ~~not less than three nor more than fifteen years~~ life, which sentence may not be suspended.

(b) Any person who, while engaged in the illegal use of a controlled substance with another, who knowingly fails to seek medical assistance for such other person when the other person suffers an overdose of the controlled substance or suffers a significant adverse physical reaction to the controlled substance and the overdose or adverse physical reaction proximately causes the death of the other person, is guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one year nor more than five years.

NOTE: The purpose of this bill is to increase the sentence for the offense of delivery of a controlled substance or counterfeit controlled substance when the use, ingestion or consumption thereof results in death, to a determinate sentence of life, which may not be suspended; providing that this bill shall be known as Lauren’s Law.

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