

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 584

By Senator Helton

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

1 A BILL to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended,
2 relating to increasing the sentence for the offense of delivery of a controlled substance or
3 counterfeit controlled substance when the use, ingestion, or consumption thereof results in
4 death, to a determinate sentence of life; providing that the sentence may not be
5 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.

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

9 (b) Any person who, while engaged in the illegal use of a controlled substance with
10 another, who knowingly fails to seek medical assistance for such other person when the other
11 person suffers an overdose of the controlled substance or suffers a significant adverse physical
12 reaction to the controlled substance and the overdose or adverse physical reaction proximately
13 causes the death of the other person, is guilty of a felony and, upon conviction thereof, shall be
14 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.