

SB 148<sup>s</sup>  
(Veto)

FILED

2007 MAR 14 PM 4: 24

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2007**

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**ENROLLED**

**Senate Bill No. 148**

(SENATORS PREZIOSO, YODER, FOSTER, STOLLINGS,  
KESSLER AND HUNTER, *original sponsors*)

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[Passed February 26, 2007; in effect ninety days from passage.]

FILED

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 148**

(SENATORS PREZIOSO, YODER, FOSTER, STOLLINGS,  
KESSLER AND HUNTER, *original sponsors*)

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[Passed February 26, 2007; in effect ninety days from passage.]

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AN ACT to amend and reenact §61-8-9 of the Code of West Virginia, 1931, as amended, relating to providing that breast feeding a child in public or private shall not be considered public indecency.

*Be it enacted by the Legislature of West Virginia:*

That §61-8-9 of the Code of West Virginia, 1931, as amended,

Enr. Com. Sub. for S. B. No. 148] 2

be amended and reenacted to read as follows:

**ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.**

**§61-8-9. Indecent exposure.**

1       (a) A person is guilty of indecent exposure when such  
2       person intentionally exposes his or her sex organs or  
3       anus or the sex organs or anus of another person, or  
4       intentionally causes such exposure by another or  
5       engages in any overt act of sexual gratification and does  
6       so under circumstances in which the person knows that  
7       the conduct is likely to cause affront or alarm:  
8       *Provided*, That it is not considered indecent exposure  
9       for a mother to breast feed a child in any location,  
10      public or private.

11      (b) Any person who violates the provisions of this  
12      section is guilty of a misdemeanor and, upon conviction  
13      thereof, shall be confined in jail for not more than  
14      ninety days, or fined not more than two hundred fifty  
15      dollars or both.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Signature]*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is disapproved* ..... this  
the *14th* Day of *March* ....., 2007.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 0 8 2007

Time 2:55 pm