1 **H. B. 2528**

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3 (By Delegates D. Walker, Lawrence, Butcher,
4 Armstead, Martin and Hall)
5
6 [Introduced January 18, 2011; referred to the

7 Committee on the Judiciary.]

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10 A BILL to amend and reenact §61-3C-14b of the Code of West

11 Virginia, 1931, as amended, relating to the West Virginia

12 Computer Crime and Abuse Act; and providing that a person

13 convicted of a crime against a minor is denied Internet access

14 as part of punishment and penalty.

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

16 That §61-3C-14b of the Code of West Virginia, 1931, as

17 amended, be amended and reenacted to read as follows:

18 **ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.**

19 **§61-3C-14b. Soliciting, etc. a minor via computer; penalty.**

20 (a) Any person over the age of eighteen, who knowingly uses a

21 computer to solicit, entice, seduce or lure or attempt to solicit,

22 entice, seduce or lure, a minor known or believed to be at least

23 four years younger than the person using the computer or a person

24 he or she believes to be such a minor, to commit any illegal act

25 proscribed by the provisions of article eight, eight-b, eight-c or

1 eight-d of this chapter, or any felony offense under section four

2 hundred one, article four, chapter sixty-a of this code, is guilty

3 of a felony and, upon conviction thereof, shall be fined not more

4 than $5,000 or imprisoned in a state correctional facility not less

5 than two nor more than ten years, or both.

6      (b) In addition to the penalty provided by this section, upon

7 conviction, probation or parole, or as an additional term of

8 release, the defendant may not have access to Internet.


     NOTE: The purpose of this bill is to provide that persons
convicted of a crime, under the provisions of the West Virginia
Computer Crime and Abuse Act, against minors are denied Internet
access as part of punishment and penalty for that crime.

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