

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 212**

4 (By Senators Snyder, Green, Klempa, McCabe, Williams, Sypolt,  
5 Palumbo, Foster, Beach and Wills)

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7 [Originating in the Committee on the Judiciary;  
8 reported February 22, 2012.]  
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12 A BILL to amend the Code of West Virginia, 1931, as amended, by  
13 adding thereto a new section, designated §61-3-49b, relating  
14 to the disruption of communications and public utility  
15 services; defining terms; and establishing criminal penalties.

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

17 That the Code of West Virginia, 1931, as amended, be amended  
18 by adding thereto a new section, designated §61-3-49b, to read as  
19 follows:

20 **ARTICLE 3. CRIMES AGAINST PROPERTY.**

21 **§61-3-49b. Disruption of communications and utilities services.**

22 (a) Any person who causes a disruption of communications  
23 services or public utility services by the theft or intentional  
24 damaging of communications or public utility equipment shall be  
25 guilty of a felony and, upon conviction thereof, shall be confined

1 in a correction facility for not more than ten years, or fined not  
2 more than \$10,000, or both.

3 (b) As used in this section, communications and public utility  
4 equipment includes but is not limited to public safety  
5 communications towers and equipment, telephone lines,  
6 communications towers and tower equipment, radio towers and tower  
7 equipment, railroad and other industrial safety communication  
8 devices or systems, electric towers and equipment and electric  
9 transmission lines.