

H. B. 2393

(By Delegate Fleischauer, Marshall, Barill, Lynch, Manypenny, Iaquinta, Fragale, Longstreth, Eldridge, Marcum and Sobonya)

[Introduced February 13, 2013; referred to the Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-5-17a, relating to making it a criminal offense for any person to intentionally interfere with or prevent an individual from calling for the assistance of emergency service personnel; defining terms; and establishing penalties.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §61-5-17a, to read as follows:

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17a. Willful interference with a call for emergency services.

(a) A person, with the intent to deprive any other person of

1 emergency services, may not interfere with or prevent another
2 person from:

3 (1) Using or accessing a 911 emergency telephone system;

4 (2) Making a report to a law-enforcement officer or agency or
5 fire department; or

6 (3) Requesting emergency medical assistance.

7 (b) A person who violates subsection (a) of this section is
8 guilty of a misdemeanor, and upon conviction shall be confined in
9 jail for not more than six months, or fined not less than \$100 nor
10 more than \$500, or both.

11 (c) As used in this section, to "interfere with or prevent"
12 includes, but is not limited to, the seizure, concealment,
13 obstructing access to or disabling or disconnection of a telephone,
14 telephone line or equipment or other communication device.

NOTE: The purpose of this bill is to make it a crime to interfere with or prevent a person from reporting a crime or seeking emergency assistance.

§61-5-17a is new; therefore, it has been completely underscored.