

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2240**

5 (By Delegates Kurcaba, Fleischauer, Statler, Householder, Espinosa, Moffatt,
6 Summers, Blair, Hicks, Byrd and Upson)

7
8 [Passed March 14, 2015; in effect ninety days from passage.]

9
10 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
11 designated §61-2-9d, relating to crimes against the person; providing that strangling is a
12 criminal offense; defining bodily injury and strangling; providing a felony offense of
13 strangling another; and providing criminal penalties.

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

15 That the Code of West Virginia, 1931, as amended, be amended, by adding thereto a new
16 section, designated §61-2-9d, to read as follows:

17 **§61-2-9d. Strangulation; definitions; penalties.**

18 (a) As used in this section:

19 (1) “Bodily injury” means substantial physical pain, illness or any impairment of physical
20 condition;

21 (2) “Strangle” means knowingly and willfully restricting another person’s air intake or blood
22 flow by the application of pressure on the neck or throat;

23 (b) Any person who strangles another and thereby causes them bodily injury or thereby to
24 lose consciousness is guilty of a felony and upon conviction thereof shall be confined in a state
25 correctional facility for not less than one year or more than five years fined not more than \$2,500.00,

1 or both.