

H. B. 2255

(By Delegate Rodighiero)

[Introduced January 23, 2015; referred to the
Committee on the Judiciary.]

**FISCAL
NOTE**

A BILL to amend and reenact §60A-10-12 of the Code of West Virginia, 1931, as amended, relating to the Uniform Control Substances Act; the Methamphetamine Laboratory Eradication Act; and increasing the felony criminal penalties for exposing children to methamphetamine manufacturing.

Be it enacted by the Legislature of West Virginia:

That §60A-10-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 10. METHAMPHETAMINE LABORATORY ERADICATION ACT.

§60A-10-12. Exposure of children to methamphetamine manufacturing; penalties.

(a) Any person eighteen years of age or older who knowingly causes or permits a minor to be present in a location where methamphetamine is manufactured or attempted to be manufactured is guilty of a felony and, upon conviction, shall be ~~confined~~ imprisoned in a state correctional facility for not less than ~~one~~ five nor more than ~~five~~ thirty years, fined not more than \$10,000, or both fined

1 and imprisoned.

2 (b) Notwithstanding the provisions of subsection (a) of this section, the penalty for a violation
3 of said subsection when the child suffers serious bodily injury as such is defined in the provisions
4 of section one, chapter eight-b of this code shall be ~~confined~~ imprisoned in a state correctional
5 facility for not less than ~~three~~ ten nor more than ~~fifteen~~ thirty years, fined not more than \$25,000, or
6 both fined and imprisoned.

NOTE: The purpose of this bill is to increase the penalties for exposing children to methamphetamine manufacturing.

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