

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 283**

BY SENATOR FERNS

[Originating in the Committee on the Judiciary;

reported on February 12, 2016.]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §61-3-9, relating to creating crime of causing the burning of a building or other  
3 structure while operating a clandestine drug laboratory and establishing criminal  
4 penalties.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §61-3-9, to read as follows:

**ARTICLE 3. CRIMES AGAINST PROPERTY.**

**§61-3-9. Causing fires incident to operation of a clandestine laboratory.**

1 Any person who operates a clandestine drug laboratory as that term is defined in section  
2 two, article eleven, chapter sixty-a of this code, and who as a result of, or in the course of doing  
3 so, causes to be burned any dwelling, outbuilding, building or structure of any class or character  
4 is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility  
5 for not less than one nor more than five years or fined not less than \$1,000 nor more than \$5,000,  
6 or both imprisoned and fined.