

# WEST VIRGINIA LEGISLATURE

## 2016 REGULAR SESSION

Introduced

### House Bill 2255

FISCAL  
NOTE

2015 Carryover

(BY DELEGATE RODIGHIERO)

[Introduced January 13, 2016; referred to the  
Committee on the Judiciary.]

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

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

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

**ARTICLE 10. METHAMPHETAMINE LABORATORY ERADICATION ACT.**

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

1 (a) Any person eighteen years of age or older who knowingly causes or permits a minor  
 2 to be present in a location where methamphetamine is manufactured or attempted to be  
 3 manufactured is guilty of a felony and, upon conviction, shall be ~~confined~~ imprisoned in a state  
 4 correctional facility for not less than ~~one~~ five nor more than ~~five~~ thirty years, fined not more than  
 5 \$10,000, or both fined and imprisoned.

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