

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2471

BY DELEGATE STEELE, PACK, HARSHBARGER, MANDT,
JEFFRIES, J., GRAVES, HOWELL, WILSON, FOSTER AND
KESSINGER

[Introduced January 17, 2019; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §61-1-9 of the Code of West Virginia, 1931, as amended, relating
2 to increasing criminal penalties for impersonation of law-enforcement officers or officials.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. CRIMES AGAINST THE GOVERNMENT.

§61-1-9. Impersonation of law-enforcement officer or official; penalty.

1 (a) Any person who ~~shall~~ falsely represents himself or herself to be a law-enforcement
2 officer or law-enforcement official or to be under the order or direction of any such person, or any
3 person not a law-enforcement officer or law-enforcement official who ~~shall~~ wears the uniform
4 prescribed for such persons, or the badge or other insignia adopted for use by such persons with
5 the intent to deceive another person, is guilty of a misdemeanor and, upon conviction thereof,
6 confined in jail for not less than 14 days nor more than one year or shall be fined not less than
7 \$100 nor more than \$1,000.

8 (b) Any person who falsely represents himself or herself to be a law-enforcement officer,
9 a law-enforcement official, or to be under the order or direction of any law-enforcement officer or
10 a law-enforcement official, or any person not a law-enforcement officer or law-enforcement official
11 who wears the uniform prescribed for a law-enforcement officer or a law-enforcement official, or
12 the badge or other insignia adopted for use by a law-enforcement officer or a law-enforcement
13 official with the intent to deceive another person while in the commission of another felony crime
14 as defined by this code or the laws of the United States of America, or does so in furtherance of
15 another such felony crime, is guilty of a felony and, upon conviction thereof, shall be confined in
16 a state correctional facility for not less than two nor more than eight years, and fined not less than
17 \$2,500 nor more than \$10,000.

18 For purposes of this section, the terms law-enforcement officer and law-enforcement
19 official shall be defined by §30-29-1 of this code, except that such terms ~~shall~~ may not include
20 members of the division of public safety and ~~shall~~ may not include individuals hired by nonpublic
21 entities for the provision of security services.

NOTE: The purpose of this bill is to increase criminal penalties for impersonation of law-enforcement officers or officials.

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