# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

## Introduced

# Senate Bill 471

FISCAL
NOTE

BY SENATORS MAYNARD AND SWOPE

[Introduced January 15, 2020; referred

to the Committee on the Judiciary]

1    A BILL to amend and reenact §61-3-13 of the Code of West Virginia, 1931, as amended, relating

2         to larceny; and providing for valuation of stolen scrap copper or copper wire.

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

## ARTICLE 3. CRIMES AGAINST PROPERTY.

**§61-3-13. Grand and petit larceny distinguished; <u>value of scrap copper or copper wire;</u> penalties.**

1         (a) If a person commits simple larceny of goods or chattels of the value of $1,000 or more,

2    such person is guilty of a felony, designated grand larceny, and, upon conviction thereof, shall be

3    imprisoned in the penitentiary not less than one nor more than ten years, or, in the discretion of

4    the court, be confined in jail not more than one year and shall be fined not more than $2,500.

5         (b) If a person commits simple larceny of goods or chattels of the value of less than $1,000,

6    such person is guilty of a misdemeanor, designated petit larceny, and, upon conviction thereof,

7    shall be confined in jail for a term not to exceed one year or fined not to exceed $2,500, or both,

8    in the discretion of the court.

1         <u>(c) Notwithstanding provisions of subsections (a) and (b) of this section, if a person in the</u>

2    <u>act of committing larceny involving the theft of scrap copper or copper wire damages or destroys</u>

3    <u>property belonging to another, the value of the scrap copper or copper wire shall include the cost</u>

4    <u>of replacement, repair or restoration of the area, building, appliance, equipment or facility from</u>

5    <u>which the copper was taken.</u>


NOTE: The purpose of this bill is to provide for valuation of stolen scrap copper or copper wire for penalty purposes.

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