

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5663**

By Delegates Kelly and Hott

[Introduced February 13, 2024; Referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §61-2-3 of the Code of West Virginia, 1931, as amended, relating to  
2 parole eligibility for the crime of murder in the second degree.

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

**ARTICLE 2. CRIMES AGAINST THE PERSON.**

**§61-2-3. Penalty for murder of second degree.**

1 Murder of the second degree shall be punished by a definite term of imprisonment in the  
2 penitentiary which is not less than ~~ten~~ fifteen nor more than ~~forty~~ sixty years. A person imprisoned  
3 pursuant to the provisions of this section is not eligible for parole prior to having served a minimum  
4 of ~~ten~~ fifteen years of his or her sentence or the minimum period required by the §62-12-13 of this  
5 code, whichever is greater.

NOTE: The purpose of this bill is to modify the sentence and parole eligibility for murder in the second degree.

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