

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2892**

BY DELEGATES CANESTRARO, MILLER, D. KELLY,

HOLLEN, N. BROWN, AND STEELE

[Introduced February 7, 2019; Referred  
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §62-1A-2 of the Code of West Virginia, 1931, as amended, relating  
 2 to including digital and virtual information in the definition of property that can be searched  
 3 and seized by a warrant.

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

**ARTICLE 1A. SEARCH AND SEIZURE.**

**§62-1A-2. Same -- Grounds for issuance; property defined.**

1 A warrant may be issued under this article to search for and seize any property  
 2 (a) Stolen, embezzled or obtained by false pretenses; or  
 3 (b) Designed or intended for use or which is or has been used as a means of committing  
 4 a criminal offense; or  
 5 (c) Manufactured, sold, kept, concealed, possessed, controlled, or designed or intended  
 6 for use or which is or has been used, in violation of the criminal laws of this state heretofore or  
 7 hereinafter enacted.

8 The term “property” shall include documents, books and papers, digital and virtual  
 9 information, including, but not limited to, social media accounts, and any other tangible objects.

NOTE: The purpose of this bill is to include digital and virtual information in the definition of property that can be searched and seized by a warrant.

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