WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 435

By Senators Woodrum, Hamilton, and Woelfel

[Introduced January 12, 2024; referred  
to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-6-26, relating to DNA collection; defining terms; providing for penalties; and providing for enforcement.

Be it enacted by the Legislature of West Virginia:

article 6. crimes against the peace.

§61-6-26. Collection of DNA for felony convicts.

(a) Definitions:

(1) "DNA" means deoxyribonucleic acid.

(2) "CODIS" means the Combined DNA Index System.

(b) Any individual convicted of and sentenced for a felony crime shall provide authorities with a DNA sample.

(c) The DNA collected from each person convicted of a felony shall be run against evidence of other open cases and entered into CODIS.

(d) Any person who refuses to provide a DNA sample shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $100.

(e) This section shall be enforced by all law enforcement officers within their respective jurisdictions.

NOTE: The purpose of this bill is to collect DNA from those convicted of crimes to assist in solving other open criminal cases.

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