

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3207

By Delegate Tully

[Introduced February 02, 2023; Referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §61-2-9d, relating to prohibiting the use of electronic tracking devices.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-9d. Use of electronic tracking devices; penalty.

1 (a) A person who installs or places an electronic tracking device through intentionally
 2 deceptive means and without consent, or causes an electronic tracking device to be installed or
 3 placed through intentionally deceptive means and without consent, and uses such device to track
 4 the location of a child who is subject to abuse and neglect proceedings, or subject to a custody
 5 dispute, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than
 6 \$1,000 or confined in jail not more than 30 days.

7 (b) "Electronic tracking device" means an electronic or mechanical device that permits a
 8 person to remotely determine or track the position and movement of another person.

NOTE: The purpose of this bill is to is prohibit the use of electronic tracking devices in certain situations.

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