

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §61-6-26, relating to DNA collection; defining terms; providing for penalties;
 3 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.

- 1 (a) Definitions:
 2 (1) "DNA" means deoxyribonucleic acid.
 3 (2) "CODIS" means the Combined DNA Index System.
 4 (b) Any individual convicted of and sentenced for a felony crime shall provide authorities
 5 with a DNA sample.
 6 (c) The DNA collected from each person convicted of a felony shall be run against
 7 evidence of other open cases and entered into CODIS.
 8 (d) Any person who refuses to provide a DNA sample shall be guilty of a misdemeanor
 9 and, upon conviction thereof, shall be fined not more than \$100.
 10 (e) This section shall be enforced by all law enforcement officers within their respective
 11 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.