WEST virginia legislature

2024 regular session

Introduced

Senate Bill 616

By Senators trump, Woelfel, and Deeds

[Introduced February 1, 2024; referred
to the Committee on the Judiciary]

A BILL to amend and reenact §48-27-204 of the Code of West Virginia, 1931, as amended, relating to adding brother-in-law and sister-in-law to the definition of “family and household members” subject to the provisions of domestic violence laws.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 27. PREVENTION AND TREATMENT OF DOMESTIC VIOLENCE.**

PART 2. DEFINITIONS.

**§48-27-204. Family or household members defined.**

"Family or household members" means persons who:

(1) Are or were married to each other;

(2) Are or were living together as spouses;

(3) Are or were sexual or intimate partners;

(4) Are or were dating: *Provided,* That a casual acquaintance or ordinary fraternization between persons in a business or social context does not establish a dating relationship;

(5) Are or were residing together in the same household;

(6) Have a child in common regardless of whether they have ever married or lived together;

(7) Have the following relationships to another person:

(A) Parent;

(B) Stepparent;

(C) Brother or sister;

(D) Half-brother or half-sister;

(E) Stepbrother or stepsister;

(F) Father-in-law or mother-in-law;

(G) Stepfather-in-law or stepmother-in-law;

(H) Child or stepchild;

(I) Daughter-in-law or son-in-law;

(J) Stepdaughter-in-law or stepson-in-law;

(K) Grandparent;

(L) Step grandparent;

(M) Aunt, aunt-in-law or step aunt;

(N) Uncle, uncle-in-law or step uncle;

(O) Brother-in-law or sister-in-law

~~(O)~~ (P) Niece or nephew;

~~(P)~~ (Q) First or second cousin; or

(8) Have the relationships set forth in paragraphs (A) through ~~(P),~~ (Q), subdivision (7) of this section to a family or household member, as defined in subdivisions (1) through (6) of this section.

NOTE: The purpose of this bill is to add brothers-in-law and sisters-in-law to the definition of family and household members subject to the provisions of domestic violence laws.

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