

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2794**

By Delegates McGeehan, Anders, Chiarelli,  
Burkhammer, Holstein, White, Mallow, Brooks, Vance,  
and Dean

[Introduced February 21, 2025; referred to the  
Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2S-1, §16-2S-2, and §16-2S-3, relating to the creation of the Life at Conception Act of 2025; providing for the right to life to be guaranteed to all human beings, and providing for definitions.

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

## **ARTICLE 2S. LIFE AT CONCEPTION ACT.**

### **§16-2S-1. Short title.**

This article may be cited as the "Life at Conception Act of 2025."

### **§16-2S-2. Right to Life.**

(a) In general — To implement equal protection for the right to life of each born and preborn human person, and pursuant to the duty and authority of the legislative body, including the power under section 8 of Article I of the Constitution of the United States and Article VI of the Constitution of the State of West Virginia to make necessary and proper laws and the power under section five of the 14th Amendment to the Constitution of the United States, we hereby declare that the right to life guaranteed by the Constitutions of the United States and the State of West Virginia is vested in each human being.

(b) Nothing in this article may be construed to require the prosecution of any woman for the death of her unborn child, to prohibit in vitro fertilization, or to prohibit the use of birth control or another means of preventing fertilization.

### **§16-2S-3. Definitions.**

In this article, the following definitions apply:

(a) HUMAN PERSON; HUMAN BEING — The terms "human person" and "human being" include each member of the species homo sapiens at all stages of life, including the moment of fertilization or cloning, or other moment at which an individual member of the human species comes into being; and

(b) STATE — For purposes of applying the 14th Amendment to the Constitution of the

- 7 United States and other applicable provisions of the Constitution to carry out §16-2P-2, the term
- 8 "State" is defined as the State of West Virginia.

NOTE: The purpose of this bill is to guarantee the right to life to all human beings and to provide definitions.

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