

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2811

By Delegate Coop-Gonzalez

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

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §49-2-1007, relating to the felony crime of sale or barter of a child for adoption;
3 prohibition of placement of children for adoption by an unlicensed person or organization;
4 and criminal penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

**§49-2-1007. Sale of barter of child for adoption; prohibition of placement of children for
adoption by unlicensed organization; felony offense; penalty.**

1 (a) Any person or persons who sells or barter any child for adoption or for any other
2 purpose, is guilty of a felony, and upon conviction thereof shall be fined not more than \$5,000 or
3 imprisoned in a state correctional facility for not more than 14 years, or both fined and imprisoned.

4 (b) Any person or organization without a valid and unrevoked license to place children for
5 adoption issued by the Department of Human Services or a unrevoked license to practice law in West
6 Virginia is guilty of a misdemeanor if that person or organization:

7 (1) Advertises in any periodical or newspaper, by radio, or by any other public medium that
8 the person or organization will place children for adoption;

9 (2) Accepts, supplies, provides, or obtains children for adoption; or

10 (3) Causes any advertisement to be published in or by any public medium soliciting,
11 requesting, or asking for any child or children for adoption.

12 (c) Any person, organization, association, or corporation without a valid and unrevoked
13 license to place children for adoption issued by the Department of Human Services that places any child
14 for adoption is guilty of a misdemeanor. The provisions of this subsection do not apply to a birth parent.

15 (d) Upon conviction of a misdemeanor for violation of this section, if by an individual, the
16 person shall be fined not less \$1,000 nor more than \$5,000 or confined in jail not more than one year,
17 or both fined and confined. If the violation is by an organization, association, or corporation, that entity

- 18 shall be fined not less \$5,000 and be subject to revocation of any license or permits received under
19 law.

NOTE: The purpose of this bill is to create the felony crime of sale or barter of a child for adoption and the prohibition of placement of children for adoption by an unlicensed person or organization; and criminal penalties.

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