

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3015

By Delegate Dillon

[Introduced February 27, 2025; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §61-3C-14b of the Code of West Virginia, 1931, as amended,
2 relating to the computer crime and abuse act; and clarifying a definition.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.

§61-3C-14b. Soliciting, etc. a minor via computer; soliciting a minor and traveling to engage the minor in prohibited sexual activity; definition of minor; penalties.

1 (a) Any person over the age of 18, who knowingly uses a computer to solicit, entice,
2 seduce, or lure, or attempt to solicit, entice, seduce or lure, a minor known or believed to be at least
3 four years younger than the person using the computer in order to engage in any illegal act
4 proscribed by the provisions of §61-8-1 *et seq.*, §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, or §61-8D-1 *et*
5 *seq.* of this code, or any felony offense under §60A-4-401 of this code, is guilty of a felony and,
6 upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional
7 facility not less than two nor more than ten years, or both fined and imprisoned.

8 (b) Any person violating the provisions of subsection (a) of this section who engages in any
9 overt act designed to bring himself or herself into the minor's, or a person believed to be a minor's
10 physical presence with the intent to engage in any sexual activity or conduct with such a minor that
11 is prohibited by law, is guilty of a felony and shall be fined not more than \$25,000 or imprisoned in a
12 state correctional facility for a determinate sentence of not less than five nor more than 30 years,
13 or both fined and imprisoned : *Provided*, That subsection (a) of this section shall be deemed a
14 lesser included offense to that created by this subsection.

15 (c) For purposes of this section, "minor" means a person younger than 18 years of age, or a
16 person representing himself or herself to be a minor. ~~Any prosecution, pursuant to this article,~~
17 ~~relating to a person representing himself or herself to be a minor shall be limited to investigations~~
18 ~~being conducted or overseen by law enforcement officers.~~

NOTE: The purpose of this bill is to remove language limiting investigations to law
enforcement officers.

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