

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 7

By Senators Woodrum and Deeds

[Introduced February 12, 2025; referred
to the Committee the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §61-2-5b, relating to creating the crime of desecration of a deceased human
 3 body; providing for a penalty; defining the term "desecrate"; and providing for an exception.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON.

**§61-2-5b. Desecration of deceased human body; penalty; definition of "desecrate";
exception.**

1 (a) Any person who, by any means, knowingly and willfully desecrates, attempts to
 2 desecrate, or who otherwise aids and abets any person to desecrate a deceased human body
 3 where death occurred as a result of criminal activity is guilty of a felony and, upon conviction
 4 thereof, shall be confined in a correctional facility for not less than two years nor more than ten
 5 years and fined not less than \$2,000, nor more than \$10,000: *Provided*, That a term of
 6 imprisonment imposed pursuant to the provisions of this section shall be imposed as a
 7 consecutive sentence and shall not be served concurrently with any imprisonment, confinement,
 8 or detention imposed under any prior sentence being served or otherwise being discharged at the
 9 time such person commits an offense under the provisions of this section.

10 (b) For purposes of this section, "desecrate" means destroying, cutting, mutilating,
 11 dismembering, damaging, otherwise physically mistreating a deceased human body or any part
 12 thereof in a way that a reasonable person knows will outrage the sensibilities of persons likely to
 13 observe or discover his or her actions.

14 (c) The provisions of subsection (a) of this section do not apply to practitioners regulated by
 15 the provisions of §30-6-1 *et seq.* or their agents while acting in their lawful professional capacities.

NOTE: The purpose of this bill is to provide for the crime of a desecration of a human body.

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