

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5183

**FISCAL
NOTE**

By Delegates Pushkin, Lewis, Garcia, Young, and

Hamilton

[Introduced February 04, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §48-27-301 of the Code of West Virginia, 1931, as amended,
2 relating to directing the Supreme Court of Appeals to create a pilot domestic violence court
3 in Kanawha County.

Be it enacted by the Legislature of West Virginia:

ARTICLE 27. PREVENTION AND TREATMENT OF DOMESTIC VIOLENCE.

Part III. Procedure.

§48-27-301.

Jurisdiction.

1 (a) Circuit courts, family courts and magistrate courts have concurrent jurisdiction over
2 domestic violence proceedings as provided in this article.

3 (b) The Supreme Court of Appeals is authorized to shall assign appropriate judicial officers
4 for ~~five~~ one pilot domestic violence courts in ~~any jurisdiction chosen by the Supreme Court of~~
5 ~~Appeals court in Kanawha County~~. Judicial officers so assigned have the authority and jurisdiction
6 to preside over criminal misdemeanor crimes of domestic violence involving family or household
7 members as defined in §48-27-204 (1) through (6) and §48-27-204 (7)(A), (B), and (H), of this
8 code, relating to offenses §61-2-9 (b) and (c), of this code, misdemeanor violations of §61-2-9a of
9 this code, misdemeanor violations of §61-2-28 of this code, misdemeanor offenses under §61-3-1
10 *et seq.* of this code where the alleged perpetrator and the victim are said family or household
11 members, §61-7-7 (7) and (8), of this code and civil and criminal domestic violence protective
12 order proceedings as provided in this article. The judicial officer chosen for any domestic violence
13 court may be a current or senior status circuit judge, family court judge, temporary family court
14 judge or magistrate. The Supreme Court of Appeals is requested to shall maintain statistical data
15 to determine the feasibility and effectiveness of any the domestic violence court established by the
16 provisions of this section. The Supreme Court shall report to the President of the Senate and the
17 Speaker of the House of Delegates regarding the program's efficacy prior to the regular sessions
18 of the Legislature in 2027 and 2028.

19 (c) The assigned judicial officer in a domestic violence court does not have jurisdiction to
20 preside over any felony crimes unless the assigned judicial officer is a circuit court judge.

NOTE: The purpose of this bill is to direct the Supreme Court of Appeals to assign appropriate judicial officers for a pilot domestic violence court in Kanawha County.

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