

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Introduced**

## **House Bill 5209**

**FISCAL  
NOTE**

By Delegates Eldridge, Holstein, Mazzocchi, Chiarelli,  
McGeehan, Kimble, Worrell, Dittman, Hanshaw (Mr.  
Speaker), Akers, and Maynor

[Introduced February 05, 2026; referred to the  
Committee on the Judiciary]

1 A BILL A BILL to amend and reenact §15-2C-2 of the Code of West Virginia, 1931, as amended,  
2 and to amend and reenact the Code of West Virginia, 1931, as amended, by adding a new  
3 article, designated §15-17-1, §15-17-2, §15-17-3, and §15-17-4, relating to the creation  
4 and administration of an animal abuse registry.

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

## CHAPTER 15. PUBLIC SAFETY

### ARTICLE 2C. CENTRAL ABUSE REGISTRY.

#### **§15-2C-2. Central Abuse Registry; required information; procedures; fees and use thereof.**

1 (a) The Criminal Identification Bureau of the West Virginia State Police shall establish a  
2 Central Abuse Registry, to contain information relating to criminal convictions involving animal  
3 abuse, child abuse or neglect, abuse or neglect of an incapacitated adult or an adult receiving  
4 behavioral health services and misappropriation of property by individuals specified in subsection  
5 (b) of this section and information relating to individuals required to be registered as a sex offender.

6 (b) The Central Abuse Registry shall contain, at a minimum, information relating to:  
7 Convictions of a misdemeanor or a felony involving animal abuse, abuse, neglect or  
8 misappropriation of property, by an individual performing services for compensation, within the  
9 scope of the individual's employment or contract to provide services, in a residential care facility, in  
10 a licensed day care center in connection with providing behavioral health services, or in  
11 connection with the provision of home care services; information relating to individuals convicted  
12 of specific offenses enumerated in §15-2C-3 (a) of this code with respect to a child or an  
13 incapacitated adult or an adult receiving behavioral health services; information relating to all  
14 individuals required to register with the Child Abuse and Neglect Registry established pursuant to  
15 §15-13-1 *et seq.* of this code; information related to individuals required to register with the Animal  
16 Abuse Registry established pursuant to §15-17-1 *et seq.* of this code; and information relating to  
17 all individuals required to register with the West Virginia State Police as sex offenders pursuant to

the provisions of §15-12-1 *et seq.* of this code. The Central Abuse Registry shall contain the following information:

(1) The individual's full name;

(2) Sufficient information to identify the individual, including date of birth, social security number and fingerprints if available;

(3) Identification of the criminal offense constituting abuse, neglect or misappropriation of property of a child or an incapacitated adult or an adult receiving behavioral health services;

(4) For cases involving abuse, neglect or misappropriation of property of a child or an incapacitated adult or an adult receiving behavioral health services in a residential care facility or a day care center, or of a child or an incapacitated adult or an adult receiving behavioral health services receiving home care services, sufficient information to identify the location where the documentation of any investigation by the Department of Human Services is on file and the location of pertinent court files; and

(5) Any statement by the individual disputing the conviction, if he or she chooses to make and file one.

(c) Upon conviction in the criminal courts of this state of a misdemeanor or a felony offense constituting child abuse or neglect or abuse or neglect of an incapacitated adult or an adult receiving behavioral health services, the individual so convicted shall be placed on the Central Abuse Registry.

(d) A person required to be placed on the Central Abuse Registry pursuant to this section shall pay an annual fee of \$125, to be paid between January 1 and January 30 of each year. The annual fee shall be paid to the circuit clerk of the circuit court where the registrant currently resides, and the registrant will provide written proof of payment of the annual fee within ten days of the payment to a State Police detachment located in the county where the registrant currently

42 resides. The circuit clerk shall compile and maintain a record of any payment made by a registrant  
43 to which the State Police shall have access. The circuit clerk shall remit the entirety of a payment  
44 made pursuant to this subsection to the state treasurer who shall deposit these funds into the  
45 State Treasury and credit said funds to the account of the State Police. The State Police is hereby  
46 authorized to utilize the funds collected from these annual fees, first to enhance mental health  
47 services for current and former employees of the West Virginia State Police, including but not  
48 limited to hiring, or contracting, mental health professionals, conducting periodic educational  
49 seminars, meetings, trainings or conferences addressing mental health issues that affect persons  
50 that are, or have been, employed as law enforcement, and then for any other use essential to the  
51 general operations of the State Police: *Provided*, That failure to pay the annual fee, or provide  
52 proof of payment of the annual fee, pursuant to this subsection may not be considered a violation  
53 of the person's supervised release: *Provided, however*, That written notice by the State Police  
54 served upon the registrant, by certified mail at the last address provided by the registrant, stating  
55 that that the annual fee has not been paid, may be recorded 30 days after the notice was received  
56 by the registrant in the office of the county clerk where the person required to register resides. This  
57 notice shall have the effect of a judgment and shall be recorded and indexed by the county clerk in  
58 the judgment lien docket. This judgment lien will be released by the State Police within 30 days  
59 upon full and complete payment by the registrant. Written verification of the release of the lien  
60 shall be provided to the registrant at the address last provided by the registrant.

## **ARTICLE 17. ANIMAL ABUSE REGISTRATION.**

### **§15-17-1. Intent and findings.**

61 (a) The Legislature hereby finds that there is an exceptionally high correlation between  
62 persons who commit violence against animals and persons who commit violence against other  
63 persons. It is the intent of this article to assist law enforcement agencies' efforts to protect the

64 public from those who commit violence against animals by requiring such persons to register with  
65 the West Virginia State Police as set forth below. This article is intended to be regulatory in nature  
66 and not penal, and is intended to provide for the safety of persons who are exposed to persons  
67 convicted of crimes of violence against animals.

68 (b) The Legislature further finds that there is a compelling and necessary public interest in  
69 providing a registry of persons who have been convicted of crimes of violence against animals,  
70 and that the requirements of this article are appropriate and reasonable due such compelling and  
71 necessary public interest.

72 (c) The Legislature further finds and declares that persons required to register under this  
73 article for committing an act of violence against an animal have a reduced expectation of privacy  
74 because of the state's interest in public safety.

**§15-17-2.****Registration.**

1 (a) The provisions of this article apply both retrospectively and prospectively.

2 (b) Any person who has been convicted of an offense or has been found not guilty solely by  
3 reason of mental illness, mental incapacity, or addiction, of an offense under any of the provisions  
4 of §19-20-12(a), §19-20-24, §61-8-19, §61-8-19a, §61-8-19b, or §61-8-19c of this code or under a  
5 statutory provision of another state, the United States Code of the Uniform Code of Military Justice  
6 which requires proof of the same essential elements shall register as set forth in this article and  
7 according to the internal management rules promulgated by the superintendent under authority of  
8 §15-2-25 of this code.

9 (c) The clerk of the court in which a person is convicted for an offense described in  
10 subsection (b) of this section, or for an offense described in a municipal ordinance which has the  
11 same elements as an offense described in said subsection, shall forward to the superintendent, at  
12 a minimum, information required on forms provided by the State Police relating to the person

13 required to register.

14 (1) If the conviction is the judgment of a magistrate court, mayor, police court judge, or  
15 municipal court judge, the clerk or recorder shall forward to the superintendent, at a minimum,  
16 information required on forms provided by the State Police relating to the person required to  
17 register when the person has not requested an appeal within 30 days of the sentencing for such  
18 conviction.

19 (2) If the conviction is the judgment of a circuit court, the circuit clerk shall submit, at a  
20 minimum, the required information to the superintendent regarding the person convicted within 30  
21 days after the judgment was entered.

**§15-17-3. Change in registry information.**

1 (a) When any person required to register under this article changes his or her residence,  
2 address, or when any of the other information required by this article changes, he or she shall,  
3 within ten business days, inform the West Virginia State Police of the changes in the manner  
4 prescribed by the superintendent of State Police in procedural rules promulgated in accordance  
5 with the provisions of article three, chapter twenty-nine-a of this code.

6 Upon directive by the State Police, any person required to register under this article may be  
7 required to appear at the nearest State Police detachment from his or her residence, to verify or  
8 provide additional information or documentation necessary to have complete and accurate  
9 registry records.

**§15-13-4. Duration.**

1 (a) A person required to register pursuant to the provisions of this article shall continue to  
2 comply with this section, except during ensuing periods of incarceration or confinement, until ten  
3 years have elapsed since the person was released from prison, jail or a mental health facility or ten  
4 years have elapsed since the person was placed on probation, parole or supervised or conditional  
5 release. The ten-year registration period shall not be reduced by the offender's release from

6 probation, parole or supervised or conditional release.

7 (b) A person whose conviction is overturned for the offense which required them to register  
8 under this article shall, upon petition to the court, have their name removed from the registry.

9 (b) A person who is required to register pursuant to the provisions of this article, who  
10 intends to move to another state or country shall, prior to such move, notify the State Police of his  
11 or her intent to move and of the location to which he or she intends to move, or if that person is  
12 incarcerated he or she shall notify correctional officials of his or her intent to reside in some other  
13 state or country upon his or her release, and of the location to which he or she intends to move.  
14 Upon such notification, the State Police shall notify law-enforcement officials of the jurisdiction  
15 where the person indicates he or she intends to reside of the information provided by the person  
16 under the provisions of this article.

NOTE: The purpose of this bill is to establish an animal abuse registry.

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