

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5361

By Delegate Young

[Introduced February 09, 2026; 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 §15-16-2a, relating to restricting certain immigration enforcement actions in
 3 specific locations; and to provide for the powers and duties of certain officers and entities.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. FEDERAL IMMIGRATION ENFORCEMENT.

§15-16-2a. Regarding certain immigration enforcement actions in specific locations.

1 (a) As used in this act:

2 (1) "Educational institution" means any school, or physical facility in which a "local
 3 educational agency" is located, as that term is defined in §18-1-1;

4 (2) "Enforcement action" means any of the following actions taken by a law enforcement
 5 officer for the purpose of immigration enforcement or to obtain information in regard to an
 6 individual's immigration or citizenship status:

7 (A) Arresting or detaining an individual.

8 (B) Conducting search or surveillance.

9 (3) "Place of worship" means a church, synagogue, mosque, or other institution of
 10 worship, including, but not limited to, a building rented for a religious service.

11 (4) "Sensitive location" means all of the following:

12 (A) An educational institution;

13 (B) A place of worship;

14 (C) A hospital;

15 (D) A courthouse; or

16 (E) The site of an organization that is assisting children, pregnant women, victims of crime
 17 or abuse, or an individual with significant mental or physical disabilities.

18 (b) (1) Notwithstanding any other provision of this article to the contrary, and except as
 19 otherwise provided in this subsection, a law enforcement officer may not conduct an
 20 immigration enforcement action in a sensitive location.

21 (2) A law enforcement officer may conduct an immigration enforcement action in
22 a sensitive location if a court order directs the law enforcement officer conducting the immigration
23 enforcement action to enter the sensitive location.

24 (3) A law enforcement officer may conduct an immigration enforcement action in
25 a sensitive location if the immigration enforcement action is necessary to address a threat that
26 poses imminent danger to public safety.

NOTE: The purpose of this bill is to restrict certain immigration enforcement actions in specific locations.

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