

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 615

BY SENATORS HART, SMITH (MR. PRESIDENT), AZINGER,
CHAPMAN, DEEDS, FULLER, HELTON, PHILLIPS, ROSE,
THORNE, Z. MAYNARD, TAYLOR, ROBERTS, WILLIS,
BARTLETT, AND TARR

[Reported February 3, 2026, from 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 requiring law enforcement to notify federal agency
3 regarding persons with illegal immigration status; and prohibiting laws to the contrary.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. FEDERAL IMMIGRATION ENFORCEMENT.

§15-16-2a. Mandatory notification of federal authority of illegal immigrant status.

1 (a) Where an individual has been determined to be in the United States illegally by a law-
2 enforcement agency in this state including, but not limited to, determinations made in accordance
3 with Section 287 of the federal Immigration and Nationality Act, 8 U.S.C. § 1357 et seq., the law-
4 enforcement agency shall notify and cooperate with the United States Immigration and Customs
5 Enforcement division of the United States Department of Homeland Security to the full extent
6 authorized under federal and state law.

7 (b) The provisions of §15-16-1 et seq. of this code apply to this section, and a state entity,
8 local entity, or law-enforcement agency may not usurp or otherwise abrogate this section through
9 the adoption or maintenance of any law, ordinance, resolution, rule, regulation, policy, directive,
10 order, practice, or procedure, formal or informal, written or unwritten.