

# **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.