

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 763

BY SENATORS CHAPMAN AND WOELFEL

[Reported February 18, 2026, from the Committee on
Health and Human Resources]

1 A BILL to amend and reenact §49-2-106 of the Code of West Virginia, 1931, as amended, relating
2 to requiring sex and labor trafficking screening; requiring all children placed into foster
3 care to be screened for human trafficking upon entry into the foster care system; requiring
4 youth who are recovered after going missing to be screened; requiring periodic screening;
5 requiring the use of an evidence-based tool; and requiring treatment if sex or labor
6 trafficking is indicated.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-106. Department responsibility for foster care homes; department responsibility to conduct screening for sex and labor trafficking; and department responsibility to provide treatment.

1 (a) It is the responsibility of the Department of Human Services to provide care for
2 neglected children who are committed to its care for custody or guardianship. The department
3 may provide this care for children in family homes meeting required standards of certification
4 established and enforced by the Department of Human Services.

5 (b) Upon first entry into the child welfare system, every child who is placed in foster care,
6 kinship care, or a residential placement by the Department of Human Services shall be screened
7 for sex or labor trafficking by a trained child advocate.

8 (c) Youth who are recovered after going missing from a foster care, kinship care, or a
9 residential placement, upon recovery, shall be screened for sex or labor trafficking by a trained
10 advocate.

11 (d) Every child in a foster care, kinship care, or a residential placement shall be periodically
12 screened for sex or labor trafficking.

13 (e) An evidence-based tool shall be used when conducting the assessment.

14 (f) If the assessment indicates the child has been the victim of sex or labor trafficking, the
15 Department of Human Services shall immediately begin providing support services to the child
16 consistent with funding permitted under Titles IV-E of the Social Security Act.