

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 973

By Senator Weld

[Introduced February 17, 2026; referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-3-24 of the Code of West Virginia, 1931, as amended, relating to
 2 creating a crime of disposing or attempting to dispose of property to another party with the
 3 intention of preventing liability from the payment of debts, fines, or other fees without the
 4 knowledge or acceptance of that property by another party.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-24. Obtaining money, property and services by false pretenses; disposing of property to defraud creditors; disposing or attempting to dispose of real property by false instruments to prevent liability; penalties.

1 (a)(1) If a person obtains from another by any false pretense, token₁ or representation, with
 2 intent to defraud, any money, goods₁ or other property which may be the subject of larceny; or

3 (2) If a person obtains on credit from another any money, goods₁ or other property which
 4 may be the subject of larceny, by representing that there is money due him or her or to become
 5 due him or her, and assigns the claim for such money, in writing, to the person from whom he or
 6 she obtains such money, goods₁ or other property, and afterwards collects the money due or to
 7 become due, without the consent of the assignee, and with the intent to defraud;

8 (3) Such person is guilty of larceny. If the value of the money, goods₁ or other property is
 9 \$1,000 or more, such person is guilty of a felony, and, upon conviction thereof, shall be imprisoned
 10 in the penitentiary not less than one year nor more than ten years, or, in the discretion of the court,
 11 be confined in jail not more than one year and be fined not more than \$2,500. If the value of the
 12 money, goods₁ or other property is less than \$1,000, such person is guilty of a misdemeanor, and,
 13 upon conviction thereof, shall be confined in jail not more than one year or fined not more than
 14 \$2,500, or both.

15 (b) If a person obtains by any false pretense, token₁ or representation, with intent to
 16 defraud, the signature of another to a writing, the false making of which would be forgery, the
 17 person is guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not

18 less than one year nor more than five years, or, in the discretion of the court, be confined in jail not
19 more than one year and fined not more than \$2,500.

20 (c)(1) If a person removes any of his or her property out of any county with the intent to
21 prevent the same from being levied upon by any execution; or

22 (2) If a person secretes, assigns₁ or conveys, or otherwise disposes of any of his or her
23 property with the intent to defraud any creditor or to prevent the property from being made liable for
24 payment of debts; or

25 (3) If a person receives the property of another with the intent to defraud any creditor or to
26 prevent the property from being made liable for the payment of debts;

27 (4) The person is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not
28 more than \$2,500 and be confined in jail not more than one year.

29 (d) If a person, firm or corporation obtains labor, services₁ or any other such thing of value
30 from another by any false pretense, token₁ or representation, with intent to defraud, the person,
31 firm₁ or corporation is guilty of theft of services. If the value of the labor, services₁ or any other such
32 thing of value is \$1,000 or more, the person, firm, or corporation is guilty of a felony, and, upon
33 conviction thereof, shall be imprisoned in the penitentiary not less than one year nor more than ten
34 years, or, in the discretion of the court, be confined in jail not more than one year and be fined not
35 more than \$2,500. If the value of the labor, services₁ or any other such thing of value is less than
36 \$1,000, the person, firm₁ or corporation is guilty of a misdemeanor, and, upon conviction thereof,
37 shall be confined in jail not more than one year or fined not more than \$2,500, or both, in the
38 discretion of the court.

39 (e) Theft of services includes the obtaining of a stop payment order on a check, draft₁ or
40 order for payment of money owed for services performed in good faith and in substantial
41 compliance with a written or oral contract for services, with the fraudulent intent to permanently
42 deprive the provider of such labor, services₁ or other such thing of value of the payment
43 represented by such check, draft₁ or order. Notwithstanding the penalties set forth elsewhere in

44 this section, any person, firm₁ or corporation violating the provisions of this subsection is guilty of a
45 misdemeanor, and, upon conviction thereof, shall be fined not more than two times the face value
46 of the check, draft₁ or order.

47 (f) If a person, firm, or corporation disposes or attempts to dispose of real property by
48 uttering or attempting to employ as true a deed, lease, assignment, easement, deed of trust, or
49 other document of transfer by presenting any such document to a clerk of a county commission,
50 court, notary public, judge, justice, or any other public officer, in relation to any matter wherein
51 such document may be received as legal proof, with the intent to prevent liability from the payment
52 of any debts, fines, or other fees, by means of transferring that property to another party without
53 the knowledge or acceptance of that property by the other party, that person, firm, or corporation is
54 guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$2,500 or be
55 confined in jail not more than one year, or both, in the discretion of the court.

56 ~~(f)~~ (g) Prosecution for an offense under this section does not bar or otherwise affect
57 adversely any right or liability to damages, forfeiture₁ or other civil remedy arising from any or all
58 elements of the criminal offense.

NOTE: The purpose of this bill is to create a crime of disposing or attempting to dispose of property to another party with the intention of preventing liability from the payment of debts, fines, or other fees without the knowledge or acceptance of that property by another party.

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