

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 986

By Senator Willis

[Introduced February 18, 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 §61-8D-3b, relating to child torture; providing definitions; and creating criminal
 3 penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8D. CHILD ABUSE.

§61-8D-3b. Child torture.

1 (a) For the purposes of this section the terms defined in section one of this article have the
 2 same meaning in this section:

3 "Emotional distress" means significant mental or psychological suffering.

4 "Period of time" means more than a single 48-hour period.

5 "Torture" means a course of conduct against a child that includes at least one of the
 6 following acts or substantially similar acts:

7 (A) Breaking, severing or severely impairing a limb of the child;

8 (B) Inflicting severe and prolonged pain from striking, burning, or cutting the child;

9 (C) Causing or allowing a grossly unreasonable period of time where the child is deprived
 10 of food or water;

11 (D) Knowingly restraining the child so as to interfere substantially with the child's personal
 12 liberty in a grossly unreasonable manner;

13 (E) Forcing the child to remain in an area that is not suitable for habitation, such as an area
 14 where urine or feces are actively present;

15 (F) Subjecting the child to extreme temperatures without adequate clothing;

16 (G) Forcing excessive and unnecessary time periods of exercise or other physical acts as
 17 a form of punishment against the child;

18 (H) Engaging in the sexual abuse or exploitation of the child or allowing or participating in
 19 the sexual abuse or exploitation of the child by another person;

20 (I) Repeatedly intimidating or humiliating the child for the purpose of causing significant

21 emotional distress;

22 (J) Terrorizing or threatening death or harm to the child, a loved one of the child, or a pet or
23 loved object of the child for the purpose of causing significant emotional distress;

24 (K) Restricting basic and necessary bodily functions needed for the personal hygiene of
25 the child; or

26 (L) Engaging in conduct that places the child at risk of serious bodily injury.

27 (b) A person is guilty of child torture when such person intentionally, knowingly or
28 recklessly tortures a child who is under their care, custody, or control or for whom the person owes
29 a duty of protection, or when such person is a parent, guardian, custodian or person in a position of
30 trust in relation to the child.

31 (c) Any person who commits child torture:

32 (1) Is guilty of a felony when the victim does not suffer bodily injury and, upon conviction
33 hereof, shall be imprisoned in a state correctional facility not less than one nor more than five
34 years.

35 (2) Is guilty of a felony when the victim suffers bodily injury and, upon conviction thereof,
36 shall be imprisoned in a state correctional facility not less than two nor more than 10 years.

NOTE: The purpose of this bill is to create the crime of child torture.

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