

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

**House Bill 4576**

**FISCAL  
NOTE**

By Delegate Burkhammer

[Introduced January 20, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §15-2-15 of the Code of West Virginia, 1931, as amended, relating to  
2 the Child Abuse and Neglect Investigations Unit; expanding the number of members in the  
3 unit; expanding the number of regional members to assist CPS; providing retired  
4 members of the State Police the ability to be part of the unit; and establishing requirements  
5 to be followed when reemploying a retired State Police officer.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

1 **§15-2-15. State Police Child Abuse and Neglect Investigations Unit.**

1 (a) The superintendent shall maintain a special unit of the State Police called the Child  
2 Abuse and Neglect Investigations Unit. The purpose of the unit is to focus on identifying,  
3 investigating, and prosecuting criminal child abuse and neglect cases, in coordination with Child  
4 Protective Services, established pursuant to §49-2-802 of this code. The unit shall assist other  
5 State Police members with child abuse or neglect investigations as well as the Division of Child  
6 Protective Services. The unit may provide training, technical expertise, and coordination of  
7 services for other law-enforcement agencies, Child Protective Services caseworkers, prosecuting  
8 attorneys, and multidisciplinary teams established pursuant to the provisions of §49-4-402 of this  
9 code, to identify, investigate, report, and prosecute criminal child abuse and criminal child neglect  
10 cases. However, nothing in this section may be construed to mean that the unit will assume the  
11 duties or investigations of other State Police members or other law-enforcement officers.

12 (b) The unit shall consist, at a minimum, six of 19 members or former members of the State  
13 Police. The superintendent shall assign a unit director and five 18 regional members, to be  
14 dedicated and trained to assist county Child Protective Services Offices and caseworkers in  
15 investigating and coordinating with other law-enforcement personnel, cases of suspected child  
16 abuse or neglect. Cases to be investigated include allegations received pursuant to §49-2-803 of  
17 this code, and any other credible child abuse or neglect allegations.

18 (c) The unit director's duties include:

(1) Overseeing State Police members assigned to the unit;

(2) Coordinating activities of the unit with Child Protection Services;

(3) Assisting Child Protective Services in developing and refining protocols for improving

22 identification and prosecution of suspected criminal acts of child abuse or neglect; and

(4) Assuring that all other directives and responsibilities of the unit are fulfilled.

24 (d) The unit shall maintain a statewide statistical index on child abuse and neglect

25 convictions resulting from convictions for violations of §61-8D-2, §61-8D-2a, §61-8D-3,

26 §61-8D-3a, §61-8D-4 and §61-8D-4a of this code, to monitor the timely and proper investigation

27 and disposition of child abuse or neglect cases. The statistical data index maintained by the unit

28 shall not contain information of a specific nature that would identify individual cases or persons.

29 (e) On or before December 31, of each year, the unit director shall submit an annual report

Joint Committee on Government and Finance. The annual report is to include the statistical

31 index required under the provisions of subsection (d) of this section, and may include

32 recommendations for statutory or program reforms that will assist the unit and further promote the

33 goals of the unit. The report may not contain information of a specific nature that would identify

34 individual cases or persons.

35 (f) Every state law-enforcement agency of this state shall periodically provide statistical

ation regarding child abuse and neglect cases investigated and prosecuted by that law-

<sup>37</sup> enforcement agency to the unit

(a) The superintendent may propose rules for legislative approval or procedural rules as

rary to effectuate the provisions of this section in accord-

49. §28A.3.1 et seq. of this code. The superintendent shall provide forms to law enforcement

41. Assign circuit clerks and parole officers to facilitate submission of appropriate information.

12. necessary to prepare the statistical reports required by this section.

(b) The  $\beta$ -phase of the  $\text{Li}_2\text{Ti}_3\text{O}_7$  structure. (c) The  $\text{Li}_2\text{Ti}_3\text{O}_7$  structure.

45 the account by appropriation of the Legislature, and to be expended for the purposes of this  
46 section pursuant to appropriation of the Legislature.

47 (i) Notwithstanding any provision of this code to the contrary, any honorably retired  
48 member of the State Police may, at the discretion of the superintendent, may be considered for a  
49 position with the Child Abuse and Neglect Investigations Unit and:

50 (1) No pension rights of any kind shall accrue or attach pursuant to reemployment under  
51 this section;

52 (2) Notwithstanding any provision of this code to the contrary, any honorably retired  
53 member of the State Police who qualifies for reemployment pursuant to the provisions of this  
54 section and who is not currently certified as a law-enforcement officer under §30-29-5 of this code  
55 may be deemed to have met the entry level law-enforcement recertification requirements of 149  
56 CSR 215, Section 15.3, upon successful completion of a course of instruction prescribed by the  
57 superintendent. Such course of instruction shall include at a minimum the following subject areas:  
58 Firearms training and certification, defensive driving, mechanics of arrest, law of arrest search and  
59 seizure, West Virginia motor vehicle law, criminal law update, and domestic crimes;

60 (3) Any member reemployed pursuant to the provisions of this section shall hold the  
61 nonsupervisory rank of trooper and shall receive the same compensation as a regularly enlisted  
62 member of the same rank. For purposes of determining length of service pursuant to §15-2-5 of  
63 this code, any member reemployed pursuant to this section shall not receive credit for all years of  
64 service rendered after reemployment. Any member reemployed pursuant to this section shall  
65 exercise the same authority as a regularly enlisted member of the State Police, shall be subject to  
66 the same oath, shall execute the same bond, shall exercise the same powers and shall be subject  
67 to the same limitations as a regularly enlisted member of the State Police;

68 (4) Any member reemployed pursuant to the provisions of this section shall not be eligible  
69 for promotion or reclassification of any type, nor shall he or she be eligible for appointment to  
70 temporary rank pursuant to the provisions of section four of this article;

71       (5) Any retired member applying for reemployment under this section shall be required to  
72       pass such mental and physical examinations, and meet such other requirements as may be  
73       provided for in rules promulgated by the superintendent pursuant to this section;

74       (6) Notwithstanding the provisions of section ten of this article, the superintendent may  
75       make provisions for coverage of personnel employed pursuant to the provisions of §15-2-10(e);

76       (7) Any individual reemployed pursuant to this section is not eligible to contribute to any  
77       pension plan administered by the Consolidated Public Retirement Board, nor may he or she  
78       establish or accrue any new pension eligibility pursuant to such reemployment;

79       (8) Notwithstanding any provision of this code to the contrary, any member reemployed  
80       pursuant to this section shall serve at the will and pleasure of the superintendent, but retain the  
81       right to a grievance hearing pursuant to the provisions of §15-2-6 of this code and West Virginia  
82       State Police grievance procedure, 81 CSR 8. Any member reemployed pursuant to this section  
83       shall not be included in the classified service of the civil service system; and

84       (9) Notwithstanding any provision of this code to the contrary, compensation paid to any  
85       member reemployed pursuant to this section shall be in addition to any retirement payments or  
86       pension benefits which he or she is already entitled to receive under §15-2-27 of this code.

NOTE: The purpose of this bill is to provide retired State Police officers the ability to be reemployed with the Child Abuse and Neglect Investigations Unit and update the makeup of the unit.

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