

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Introduced**

## **Senate Bill 514**

BY SENATORS SYPOLT, STOLLINGS, BOSO, AND MARONEY

[Introduced February 4, 2019; Referred  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §48-27-802 of the Code of West Virginia, 1931, as amended; and  
2 to amend said code by adding thereto a new section, designated §48-27-803, all relating  
3 to victims of domestic violence and their right to know the place of employment and  
4 residence of their assailant; and requiring that the West Virginia State Police shall maintain  
5 a registry of this information.

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

## **ARTICLE 27. PREVENTION AND TREATMENT OF DOMESTIC VIOLENCE.**

### **§48-27-802. Maintenance of registry by State Police.**

1 (a) The West Virginia State Police shall maintain a registry in which it shall enter certified  
2 copies of protective orders entered by courts from every county in this state pursuant to the  
3 provisions of this article and of protection orders issued by a jurisdiction outside of this state  
4 pursuant to its law: *Provided*, That the provisions of this subsection are not effective until a central  
5 automated state law-enforcement information system is developed.

6 (b) Effective January 2, 2010, a court which enters a protective order pursuant to this  
7 article shall immediately register such order in the domestic violence database established  
8 pursuant to ~~the provisions of~~ §51-1-21 of this code. A protected individual who obtains a protection  
9 order from a jurisdiction outside of this state pursuant to its law or his or her representative as  
10 provided in §48-28-5 of this code may register that order with the West Virginia Supreme Court  
11 of Appeals for entry in the domestic violence database established pursuant to ~~the provisions of~~  
12 §51-1-21 of this code.

13 (c) Failure to register an order as provided in this section shall not affect its enforceability  
14 in any county or jurisdiction.

1 (d) Effective July 1, 2019, the West Virginia State Police shall maintain a registry in which  
2 it shall enter information relating to persons who have been convicted of domestic violence  
3 offenses and who have been incarcerated for those offenses. The registry shall include  
4 information concerning the persons place of employment and residence for a period of no longer

5 than five years from the release from incarceration or service of sentence.

**§48-27-803. Victim's right to know.**

1 Protected individuals who are victims of domestic violence have the right-to-know the  
2 location of their assailant's residence and work location upon release from incarceration or service  
3 of their sentence for an extended period of at least five years. The West Virginia State Police shall  
4 provide this information upon request of a domestic violence victim.

NOTE: The purpose of this bill is to create a victim's right to know the place of employment and residence of a person who has been incarcerated for domestic violence.

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