

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2657

BY DELEGATES WALKER AND HANSEN

[Introduced February 23, 2021; Referred to the
Committee on Education]

1 A BILL to amend and reenact §18-16-2 of the Code of West Virginia, 1931, as amended, relating
2 to the Antihazing Law; modifying the definition of hazing to address any type of
3 organization whose members include students at any public or private institution of higher
4 education.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. ANTIHAZING LAW.

§18-16-2. Definitions.

1 (a) "Hazing" means to cause any action or situation which recklessly or intentionally
2 endangers the mental or physical health or safety of another person or persons or causes another
3 person or persons to destroy or remove public or private property for the purpose of initiation or
4 admission into or affiliation with, or as a condition for continued membership in, any organization
5 ~~operating under the sanction of or recognized as an organization by~~ whose members include
6 students of an institution of higher education The term includes, but is not limited to, acts of a
7 physical nature, such as whipping, beating, branding, required consumption of any food, liquor,
8 drug, or other substance, or any other required physical activity which could reasonably be
9 deemed to adversely affect the physical health and safety of the person or persons so treated,
10 and includes any activity which would subject the person or persons so treated to extreme mental
11 stress, such as sleep deprivation, forced exclusion from social contact, required conduct which
12 could result in extreme embarrassment, or any other required activity which could reasonably be
13 deemed to adversely affect the mental health or dignity of the person or persons so treated, or
14 any willful destruction or removal of public or private property: *Provided*, That the implied or
15 expressed consent or willingness of a person or persons to hazing may not be a defense under
16 this section.

17 (2) "Institution of higher education" or "institution" means any public or private institution
18 as defined in §18B-1-2 of this code.

19 (3) "Organization" means any fraternity, sorority, association, corporation, order, society,
20 corps, club, or similar group, or a national or international affiliate thereof, the membership of
21 which is primarily made up of students or alumni of an institution of higher education.

NOTE: The purpose of this bill is to modify the definition of hazing to address any type of organization whose members include students at any public or private institution of higher education.

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