

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

**Introduced**

### **House Bill 2850**

**FISCAL  
NOTE**

BY DELEGATES THOMPSON, WALKER, YOUNG, DOYLE

AND HORNBUCKLE

[Introduced March 02, 2021; Referred to the  
Committee on Veterans' Affairs and Homeland  
Security then the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §15-2-26, relating to establishing a Business and Corporate Crime Unit of the  
3 West Virginia State Police; authorizing the superintendent to determine the structure of  
4 the unit; describing the purpose and focus; authorizing investigations by members of the  
5 unit; and providing for cooperation with and assistance to other law-enforcement officers  
6 and authorities.

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

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

### **§15-2-56. Financial and Business Crime Unit.**

1 (a) The superintendent of the department shall establish, equip, and maintain a Business  
2 and Corporate Crime Unit for the purpose of investigating and prosecuting crimes conducted or  
3 perpetrated by or through business entities and their executives. The superintendent of the  
4 department may, at his or her discretion, establish the unit as a single entity located at the  
5 department headquarters or assign members of the unit on a regional basis to provide a  
6 geographical distribution of the unit's resources.

7 (b) The special focus of the unit is the identification, investigation, reporting, and  
8 prosecution of crimes of fraud, tax violations, or exploitation of people or other businesses  
9 committed by, or through the use of, business entities such as, but not limited to, corporations,  
10 partnerships, trusts, enterprises, and associations. The superintendent shall select officers for this  
11 unit on the basis of specialized training, experience, and aptitude in these areas.

12 (c) The unit may conduct investigations itself and shall assist other State Police members  
13 with such investigations. The unit may provide training, technical expertise, and coordination of  
14 services for other law-enforcement agencies, prosecuting attorneys, auditors, and tax authorities  
15 to identify, investigate, report, and prosecute business and corporate crimes. However, nothing  
16 in this section may be construed to mean that the unit will assume the duties or investigations of  
17 other State Police members or other law-enforcement officers.

18            (d) The Business and Corporate Crime Unit shall cooperate with law-enforcement  
19 organizations of other states and of the United States to develop and carry on a complete  
20 interstate, national and international system of investigation and prosecution of business crimes.

NOTE: The purpose of this bill is to establish a specialized unit within the State Police to investigate and pursue prosecution of crimes committed by or through the use of business entities.

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