WEST virginia legislature

**FISCAL NOTE**

2021 regular session

Introduced

House Bill 2850

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]

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

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

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

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

(d) The Business and Corporate Crime Unit shall cooperate with law-enforcement organizations of other states and of the United States to develop and carry on a complete 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.