

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **Senate Bill 434**

By Senators Woodrum and Deeds

[Introduced January 12, 2024; referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §61-6-15, relating to crimes against the peace; prohibiting aggressive  
 3 panhandling; definitions; misdemeanor offense with penalties; and authorizing law-  
 4 enforcement officers to interview individuals who are engaged in street begging or  
 5 panhandling to ascertain whether these individuals are victims of human trafficking and are  
 6 forced into labor.

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

**ARTICLE 6. CRIMES AGAINST THE PEACE.**

**§61-6-15. Aggressive panhandling or street begging prohibited; definitions; misdemeanor**

**offense; penalty.**

1 (a) For the purposes of this section:

2 "Panhandle" means to solicit an immediate donation of money or other thing of value from  
 3 another person, regardless of the solicitor's purpose or intended use of the money or other thing of  
 4 value.

5 "Aggressive panhandling" is defined as solicitation made in person for an immediate  
 6 donation of money or other gratuity, which may be done by vocal appeal (asking, requesting,  
 7 coercing, sympathy appeals, harassment, threats, or demands) or by nonvocal appeal (usage of  
 8 signs or other signals gestures, postures, children, animals, or props such as toys and musical  
 9 instruments). It is considered aggressive if it involves: (1) Intentionally touching the person being  
 10 solicited without the person's consent; (2) Intentionally obstructing the path of the person, or of the  
 11 vehicle of the person, being solicited; (3) Soliciting coercively, with actual or implied threats, or  
 12 menacing actions; or (4) Engaging in any conduct with the intention of intimidating another person  
 13 into giving away money or goods.

14 (b) No person may panhandle in an aggressive manner in any public place. Any person  
 15 who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction  
 16 thereof, shall be fined not more than \$100.

17            (c) This section shall be enforced by all law enforcement officers within their respective  
18 jurisdictions.

19            (d) Law enforcement officers may conduct interviews with individuals who are engaged in  
20 street begging or panhandling. The purpose of these interviews is to ascertain whether these  
21 individuals are victims of human trafficking and are forced into labor.

NOTE: The purpose of this bill is to prohibit aggressive panhandling and create a misdemeanor offense with penalties. The bill authorizes law enforcement officers to individuals who are engaged in street begging or panhandling to ascertain whether these individuals are victims of human trafficking and are forced into labor.

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