

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2398**

By Delegates Hillenbrand, Funkhouser, Ridenour,

Brooks, and Kimble

[Introduced on February 14, 2025; 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 §3-1-52, relating to establishing penalties for any delegate at a convention of  
 3 states who deviates from his or her authority, including recall, fine, and imprisonment.

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

**ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

**§3-1-52. Penalty for convention of states delegate who deviates from authority.**

1 Any delegate who attends a convention of states to modify the United States Constitution  
 2 and who exceeds his or her authority at the convention is subject to mandatory, immediate recall, a  
 3 \$100,000 to \$500,000 fine, and up to 10 years in prison. Additionally, the delegate's vote or votes  
 4 shall be void.

NOTE: The purpose of this bill is to establish penalties for any delegate at a convention of states convention who deviates from his or her authority.

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