WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2443

By Delegates Hite and Vance

[Introduced February 17, 2025; referred to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-12-11, relating to prohibiting sex offenders from residing near schools and similarly situated facilities; and providing for exceptions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. sex offender registration act.

§15-12-11. Prohibition of sex offenders from residing near schools and similarly situated facilities; exceptions.

(a) *Enactment*. – Convicted sex offenders who are required to register in West Virginia are prohibited from residing within 3000 feet of the real property comprising a public or nonpublic elementary or secondary school, a childcare facility, a residential child-caring agency, a children’s group care home or any playground, ballpark or other recreational facility utilized by persons under the age of 18 years.

(b) *Exceptions*. –

(1) The provisions of this section shall not apply if the offender is serving a sentence at a jail, prison, juvenile facility or other correctional institution or facility that is located within 3000 feet of a school or facility;

(2) The provisions of this section shall not apply if the offender is subject to an order of commitment under Title 41 MCA that places the offender in a facility or institution located within 3000 feet of a school or facility; and

(3) The provisions of this section shall not apply if the offender is a minor or ward under a guardianship.

NOTE: The purpose of this bill is to prohibit sex offenders from residing near schools and similarly situated facilities. The bill also provides for exceptions.

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