

# **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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §15-12-11, relating to prohibiting sex offenders from residing near schools and  
 3 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.**

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

6 (b) *Exceptions.* –

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

10 (2) The provisions of this section shall not apply if the offender is subject to an order of  
 11 commitment under Title 41 MCA that places the offender in a facility or institution located within  
 12 3000 feet of a school or facility; and

13 (3) The provisions of this section shall not apply if the offender is a minor or ward under a  
 14 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.