

Table of Contents

	Page
Sections Affected by 2023 Legislation	xi
West Virginia Legal Guidelines	LG-1
 Chapter 61. Crimes & their Punishments.	
Art. 1. Crimes Against the Government, §§ 61-1-1 to 61-1-9	1
Art. 2. Crimes Against the Person, §§ 61-2-1 to 61-2-30	3
Art. 3. Crimes Against Property, §§ 61-3-1 to 61-3-59	54
Art. 3A. Shoplifting, §§ 61-3A-1 to 61-3A-7	114
Art. 3B. Trespass, §§ 61-3B-1 to 61-3B-7	119
Art. 3C. West Virginia Computer Crime and Abuse Act, §§ 61-3C-1 to 61-3C-21	124
Art. 3D. Theft of Cable Television Services, §§ 61-3D-1 to 61-3D-4	132
Art. 3E. Offenses Involving Explosives, §§ 61-3E-1 to 61-3E-13	133
Art. 4. Forgery and Crimes Against the Currency, §§ 61-4-1 to 61-4-9	136
Art. 5. Crimes Against Public Justice, §§ 61-5-1 to 61-5-29	140
Art. 5A. Bribery and Corrupt Practices, §§ 61-5A-1 to 61-5A-11	163
Art. 6. Crimes Against the Peace, §§ 61-6-1 to 61-6-25	167
Art. 7. Dangerous Weapons, §§ 61-7-1 to 61-7-17	180
Art. 7A. State Mental Health Registry; Reporting of Persons Proscribed from Firearm Possession Due to Mental Condition to the National Instant Criminal Background Check System; Legislative Findings; Definitions; Reporting Requirements; Reinstatement of Rights Procedures, §§ 61-7A-1 to 61-7A-5	206
Art. 7B. The West Virginia Second Amendment Preservation and Anti-Federal Commandeering Act, §§ 61-7B-1 to 61-7B-10	209
Art. 8. Crimes Against Chastity, Morality and Decency, §§ 61-8-1 to 61-8-32	212
Art. 8A. Preparation, Distribution or Exhibition of Obscene Matter to Minors, §§ 61-8A-1 to 61-8A-5	229
Art. 8B. Sexual Offenses, §§ 61-8B-1 to 61-8B-19	231
Art. 8C. Filming of Sexually Explicit Conduct of Minors, §§ 61-8C-1 to 61-8C-11	248
Art. 8D. Child Abuse, §§ 61-8D-1 to 61-8D-10	255
Art. 8E. Display of Video Ratings or Lack Thereof [Repealed], §§ 61-8E-1 to 61-8E-3	265
Art. 8F. Sex Offender Registration Act [Repealed]	265
Art. 8F. Special Protections for Disabled Children Act of 2022, §§ 61-8F-1 to 61-8F-7	265
Art. 9. Equitable Remedies in Aid of Chastity, Morality and Decency, §§ 61-9-1 to 61-9-11	267
Art. 10. Crimes Against Public Policy, §§ 61-10-1 to 61-10-34	271
Art. 11. General Provisions Concerning Crimes, §§ 61-11-1 to 61-11-26b	290
Art. 11A. Victim Protection Act of 1984, §§ 61-11A-1 to 61-11A-9	329
Art. 11B. Criminal Offense Reduction, §§ 61-11B-1 to 61-11B-5	336
Art. 12. Postmortem Examinations, §§ 61-12-1 to 61-12-16	336
Art. 12A. Fatality and Mortality Review Team, §§ 61-12A-1 to 61-12A-5	344
Art. 13. Anti-Organized Criminal Enterprise Act, §§ 61-13-1 to 61-13-6	346
Art. 14. Human Trafficking, §§ 61-14-1 to 61-14-9	348
Art. 15. Money Laundering, §§ 61-15-1 to 61-15-4	351
Art. 16. Use of Unmanned Aircraft Systems, §§ 61-16-1, 61-16-2	353
 Chapter 62. Criminal Procedure.	
Art. 1. Preliminary Procedure, §§ 62-1-1 to 62-1-12	355
Art. 1A. Search and Seizure, §§ 62-1A-1 to 62-1A-11	364
Art. 1B. Discovery, §§ 62-1B-1 to 62-1B-4	369

	Page
Art. 1C. Bail, §§ 62-1C-1 to 62-1C-19	371
Art. 1D. Wiretapping and Electronic Surveillance Act, §§ 62-1D-1 to 62-1D-16	381
Art. 1E. Eyewitness Identification Act, §§ 62-1E-1 to 62-1E-3	391
Art. 1F. Electronic Interception of Person's Conduct or Oral Communications in Home by Law Enforcement, §§ 62-1F-1 to 62-1F-9	393
Art. 1G. Subpoena Powers for Aid of Criminal Investigation Relating to Certain offenses Against Minors, §§ 62-1G-1 to 62-1G-2	396
Art. 2. Presentments and Indictments, §§ 62-2-1 to 62-2-25	398
Art. 3. Trial of Criminal Cases, §§ 62-3-1 to 62-3-21	407
Art. 4. Recovery of Fines in Criminal Cases, §§ 62-4-1 to 62-4-17	436
Art. 5. Costs in Criminal Cases, §§ 62-5-1 to 62-5-10	441
Art. 6. Miscellaneous Provisions Concerning Criminal Procedure, §§ 62-6-1 to 62-6-8	443
Art. 6A. Securing Attendance of Nonresident Witnesses, §§ 62-6A-1 to 62-6A-6	444
Art. 6B. Protection and Preservation of Statements and Testimony of Child Witness, §§ 62-6B-1 to 62-6B-6	446
Art. 7. Execution of Sentences; Stays, §§ 62-7-1 to 62-7-10a	450
Art. 8. Crimes by and Proceedings Against Inmates, §§ 62-8-1 to 62-8-8	454
Art. 9. Forms of Indictments, §§ 62-9-1 to 62-9-21	457
Art. 10. Prevention of Crime, §§ 62-10-1 to 62-10-9	465
Art. 11. Fresh Pursuit, §§ 62-11-1 to 62-11-7	468
Art. 11A. Release for Work or Other Purposes, §§ 62-11A-1 to 62-11A-4	469
Art. 11B. Home Incarceration Act, §§ 62-11B-1 to 62-11B-13	473
Art. 11C. The West Virginia Community Corrections Act, §§ 62-11C-1 to 62-11C-10 ...	479
Art. 11D. Heightened Examination and Supervision for Certain Sex offenders, §§ 62- 11D-1 to 62-11D-3	485
Art. 11E. Sexually Violent Predator Management Task Force [Repealed]	487
Art. 11F. Pretrial Release Programs, §§ 62-11F-1 to 62-11F-5	487
Art. 12. Probation and Parole, §§ 62-12-1 to 62-12-29	488
Art. 13. Corrections Management, §§ 62-13-1 to 62-13-7	525
Art. 14. Agreement on Detainers, §§ 62-14-1 to 62-14-7	526
Art. 14A. Extradition, §§ 62-14A-1 to 62-14A-7	531
Art. 15. Drug Offender Accountability and Treatment Act, §§ 62-15-1 to 62-15-13	536
Art. 15A. Addiction Treatment Pilot Program, §§ 62-15A-1 to 62-15A-3	542
Art. 15B. Family Drug Treatment Court Act, §§ 62-15B-1, 62-15B-2	544
Art. 16. The Military Service Members Court Act, §§ 62-16-1 to 62-16-7	545

RELATED LAWS

Chapter 8. Municipal Corporations.	
Art. 10. Powers and Duties of Certain Officers, §§ 8-10-2 to 8-10-2b	549
Chapter 9. Human Services.	
Art. 5. Miscellaneous Provisions, §§ 9-5-4, 9-5-5	552
Art. 6. Social Services for Adults, § 9-6-14	553
Art. 7. Fraud and Abuse in the Medicaid Program, §§ 9-7-1 to 9-7-9	553
Chapter 14. Claims Due and Against the State.	
Art. 2. Claims Against the State, §§ 14-2-13a, 14-2-26	557
Art. 2A. Compensation Awards to Victims of Crimes, §§ 14-2A-1 to 14-2A-29	558
Art. 2B. Distribution of Crime Profits, §§ 14-2B-1 to 14-2B-11	573
Chapter 15. Public Safety.	
Art. 2B. DNA Data, §§ 15-2B-1 to 15-2B-16	576
Art. 2C. Central Abuse Registry, §§ 15-2C-1 to 15-2C-9	584
Art. 3. Communication Systems for Police Purposes, § 15-3-5	589

	Page
Art. 3C. Blue Alert Plan, §§ 15-3C-1 to 15-3C-7	590
Art. 9B. Sexual Assault Examination Network, §§ 15-9B-1 to 15-9B-5	592
Art. 12. Sex Offender Registration Act, §§ 15-12-1 to 15-12-10	595
Art. 13. Child Abuse and Neglect Registration, §§ 15-13-1 to 15-13-8	606
Chapter 16. Public Health.	
Art. 9. Offenses Generally, §§ 16-9-1 to 16-9-8	610
Art. 9A. Tobacco Usage Restrictions, §§ 16-9A-1 to 16-9A-10	612
Art. 29B. Health Care Authority, § 16-29B-27	617
Art. 37. Body Piercing Studio Business, § 16-37-5	617
Art. 38. Tattoo Studio Business, § 16-38-7	617
Art. 47. Alcohol and Drug Overdose Prevention and Clemency Act, §§ 16-47-1 to 16-47-6	617
Chapter 17. Roads and Highways.	
Art. 19. General Criminal Provisions, §§ 17-19-1 to 17-19-15	620
Art. 24A. Disposal of Abandoned Motor Vehicles, Junked Motor Vehicles, and Abandoned or Inoperative Household Appliances, §§ 17-24A-1, 17-24A-2	623
Chapter 17A. Motor Vehicle Administration, Registration, Certificate of Title, and Anti-theft Provisions.	
Art. 1. Words and Phrases Defined, § 17A-1-1	625
Art. 3. Original and Renewal of Registration; Issuance of Certificates of Title, §§ 17A-3-1 to 17A-3-24	628
Art. 8. Special Antitheft Laws, §§ 17A-8-1 to 17A-8-13	655
Art. 9. Offenses Against Registration Laws and Suspension or Revocation of Registration, §§ 17A-9-1 to 17A-9-7	659
Art. 11. Penalties, §§ 17A-11-1 to 17A-11-4	662
Art. 13. Street-Legal Special Purpose Vehicles, § 17A-13-1	662
Chapter 17B. Motor Vehicle Driver s Licenses.	
Art. 1. Words and Phrases Defined, § 17B-1-1	663
Art. 4. Violations of License Provisions, §§ 17B-4-1 to 17B-4-6	665
Art. 5. Penalties, §§ 17B-5-1, 17B-5-2	668
Chapter 17C . Traffic Regulations and Laws of the Road.	
Art. 1. Words and Phrases Defined, §§ 17C-1-1 to 17C-1-70	669
Art. 2. Obedience to and Effect of Traffic Laws, §§ 17C-2-1 to 17C-2-9	677
Art. 3. Traffic Signs, Signals and Markings, §§ 17C-3-1 to 17C-3-10	681
Art. 4. Crashes, §§ 17C-4-1 to 17C-4-17	685
Art. 5. Serious Traffic Offenses, §§ 17C-5-1 to 17C-5-12	690
Art. 5A. Administrative Procedures for Suspension and Revocation of Licenses for Driving Under the Influence of Alcohol, Controlled Substances or Drugs, §§ 17C-5A-1 to 17C-5A-4	717
Art. 5B. Postmortem Tests for Alcohol in Persons Killed in Motor Vehicle Accidents, §§ 17C-5B-1, 17C-5B-2	730
Art. 5C. Office of Administrative Hearings, §§ 17C-5C-1 to 17C-5C-5	731
Art. 5D. Open Container Laws, §§ 17C-5D-1 to 17C-5D-4	732
Art. 6. Speed Restrictions, §§ 17C-6-1 to 17C-6-11	733
Art. 7. Driving on Right Side of Roadway, Overtaking and Passing, etc., §§ 17C-7-1 to 17C-7-13	741
Art. 8. Turning and Starting and Signals on Stopping and Turning, §§ 17C-8-1 to 17C-8-10	746
Art. 9. Right-of-Way, §§ 17C-9-1 to 17C-9-6	748
Art. 10. Pedestrians Rights and Duties, §§ 17C-10-1 to 17C-10-8	750
Art. 10A. Operation of Electric Personal Assistive Mobility Devices, §§ 17C-10A-1, 17C-10A-2	752
Art. 11. Operation of Bicycles, Electric Bicycles, and Play Vehicles, §§ 17C-11-1 to 17C-11-8	752

	Page
Art. 11A. Child Bicycle Safety Act, §§ 17C-11A-1 to 17C-11A-9	754
Art. 12. Special Stops Required, §§ 17C-12-1 to 17C-12-9	756
Art. 13. Stopping, Standing and Parking, §§ 17C-13-1 to 17C-13-8	761
Art. 13A. Diesel-Powered Motor Vehicle Idling Act, §§ 17C-13A-1 to 17C-13A-9	768
Art. 14. Miscellaneous Rules, §§ 17C-14-1 to 17C-14-15	770
Art. 15. Equipment, §§ 17C-15-1 to 17C-15-50	776
Art. 16. Inspection of Vehicles, §§ 17C-16-1 to 17C-16-9	799
Art. 17. Size, Weight and Load, §§ 17C-17-1 to 17C-17-14	803
Art. 17A. Regulation of the Commercial Transportation of Coal, §§ 17C-17A-1 to 17C-17A-16	814
Art. 17B. Transfer of Certain Jurisdiction and Employees to Public Service Commission, §§ 17C-17B-1 to 17C-17B-5	824
Art. 18. Penalties, § 17C-18-1	826
Art. 19. Parties, Procedure upon Arrest and Reports in Criminal Cases, §§ 17C-19-1 to 17C-19-10	826
Art. 20. West Virginia Turnpike Commission [Abolished], § 17C-20-1	830
Art. 21. Effect of Chapter, §§ 17C-21-1, 17C-21-2	831
Art. 22. Ridesharing, §§ 17C-22-1 to 17C-22-7	831
Art. 23. Funeral Processions, §§ 17C-23-1 to 17C-23-5	833
Art. 24. Autonomous Vehicles and Devices, §§ 17C-24-1, 17C-24-2	833
Art. 25. Aviation Related Offenses, §§ 17C-25-1 to 7C-25-11	834
Chapter 17D. Motor Vehicle Safety Responsibility Law.	
Art. 1. Words and Phrases Defined, § 17D-1-1	838
Art. 2A. Security upon Motor Vehicles, §§ 17D-2A-1 to 17D-2A-9	839
Art. 4. Proof of Financial Responsibility for the Future, §§ 17D-4-1 to 17D-4-20	845
Art. 5. Violation of Provisions of Chapter; Penalties, §§ 17D-5-1 to 17D-5-3	852
Chapter 17F. All-Terrain Vehicles.	
Art. 1. Regulation of All-Terrain Vehicles, §§ 17F-1-1 to 17F-1-9	853
Chapter 18. Education.	
Art. 8. Compulsory School Attendance, §§ 18-8-1 to 18-8-2, 18-8-8, 18-8-10	856
Chapter 19. Agriculture.	
Art. 1A. Division of Forestry, §§ 19-1A-3a to 19-1A-3b	864
Art. 18. General Livestock Trespass Law, §§ 19-18-1 to 19-18-4	867
Art. 20. Dogs and Cats, §§ 19-20-6, 19-20-9, 19-20-9a, 19-20-12, 19-20-16 to 19-20-20, 19-20-23 to 19-20-26	869
Art. 20A. Vaccination of Dogs and Cats for Rabies, § 19-20A-6	876
Art. 34. Dangerous Wild Animals Act, §§ 19-34-1 to 19-34-9	876
Chapter 20. Natural Resources.	
Art. 2. Wildlife Resources, §§ 20-2-1 to 20-2-64	879
Art. 7. Law Enforcement, Motorboating, Litter, §§ 20-7-1 to 20-7-29	931
Chapter 29. Miscellaneous Boards and officers.	
Art. 3E. Fireworks Safety, §§ 29-3E-2, 29-3E-3, 29-3E-11 to 29-3E-13	952
Art. 22. State Lottery Act, §§ 29-22-11, 29-22-12, 29-22-27	954
Art. 22A. Racetrack Video Lottery, § 29-22A-16	955
Art. 22B. Limited Video Lottery, §§ 29-22B-1701 to 29-22B-1714, 29-22B-1801 to 29-22B-1807	956
Art. 22C. West Virginia Lottery Racetrack Table Games Act, §§ 29-22C-29, 29-22C-30	964
Art. 22D. West Virginia Lottery Sports Wagering Act, §§ 29-22D-20, 29-22D-21	966
Art. 22E. West Virginia Lottery Interactive Wagering Act, §§ 29-22E-20, 29-22E-21 ..	967
Chapter 46A. West Virginia Consumer Credit and Protection Act.	
Art. 6F. Telemarketing, §§ 46A-6F-503, 46A-6F-601	968

	Page
Chapter 47. Regulation of Trade.	
Art. 2. Trademarks in General, §§ 47-2-14a to 47-2-14d	969
Art. 19. Drug Paraphernalia, §§ 47-19-1 to 47-19-8	970
Chapter 48. Domestic Relations.	
Art. 10. Grandparent Visitation, § 48-10-1201	972
Art. 20. Uniform Child Custody Jurisdiction and Enforcement Act, §§ 48-20-101 to 48-20-404	972
Art. 27. Prevention and Treatment of Domestic Violence, §§ 48-27-101 to 48-27-1105	984
Art. 28. Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, §§ 48-28-1 to 48-28-10	1005
Chapter 50. Magistrate Courts.	
Art. 1. Courts and Officers, § 50-1-14	1008
Art. 2. Jurisdiction and Authority, §§ 50-2-2 to 50-2-3a	1008
Art. 3. Costs, Fines and Records, §§ 50-3-2 to 50-3-4a	1011
Art. 4. Procedure Before Trial, §§ 50-4-2, 50-4-2a, 50-4-3, 50-4-6, 50-4-7	1018
Art. 5. Trials, Hearings and Appeals, §§ 50-5-1, 50-5-2, 50-5-7 to 50-5-11, 50-5-13 to 50-5-15	1020
Chapter 51. Courts and Their Officers.	
Art. 1. Supreme Court of Appeals, § 51-1-3	1026
Art. 2. Circuit Courts; Circuit Judges, § 51-2-2	1030
Art. 10. Professional Bondsmen in Criminal Cases, §§ 51-10-1 to 51-10-10	1032
Art. 10A. Bail Bond Enforcers, §§ 51-10A-1 to 51-10A-6	1035
Chapter 52. Juries.	
Art. 1. Petit Juries, §§ 52-1-1, 52-1-2, 52-1-5a, 52-1-7, 52-1-8, 52-1-15, 52-1-26	1037
Art. 2. Grand Juries, §§ 52-2-1 to 52-2-16	1042
Chapter 53. Extraordinary Remedies.	
Art. 4. Habeas Corpus, §§ 53-4-1 to 53-4-13	1049
Art. 4A. Post-Conviction Habeas Corpus, §§ 53-4A-1 to 53-4A-11	1056
Chapter 57. Evidence and Witnesses.	
Art. 2. Writings and Statements of Private Persons, §§ 57-2-1 to 57-2-3	1069
Art. 3. Competency of Witnesses, §§ 57-3-2 to 57-3-7, 57-3-9, 57-3-10	1071
Art. 5. Miscellaneous Provisions, § 57-5-2	1078
Chapter 60. State Control of Alcoholic Liquors.	
Art. 1. General Provisions, §§ 60-1-1 to 60-1-7	1079
Art. 3A. Sales by Retail Liquor Licensees, §§ 60-3A-1 to 60-3A-31	1084
Art. 6. Miscellaneous Provisions, §§ 60-6-1 to 60-6-26	1104
Art. 7. Licenses to Private Clubs, §§ 60-7-2, 60-7-12, 60-7-12a	1119
Art. 8. Sale of Wines, §§ 60-8-2, 60-8-20 to 60-8-22, 60-8-25, 60-8-30 to 60-8-32a, 60-8-34, 60-8-35	1132
Art. 9. Cigarettes for Export; Imported Cigarettes, §§ 60-9-1 to 60-9-4	1138
Chapter 60A. Uniform Controlled Substances Act.	
Art. 1. Definitions, §§ 60A-1-101	1140
Art. 2. Standards and Schedules, §§ 60A-2-201 to 60A-2-213	1142
Art. 3. Regulation of Manufacture, Distribution and Dispensing of Controlled Substances, §§ 60A-3-301 to 60A-3-308	1156
Art. 4. Offenses and Penalties, §§ 60A-4-401 to 60A-4-418	1159
Art. 5. Enforcement and Administrative Provisions, §§ 60A-5-501 to 60A-5-509	1174
Art. 6. Miscellaneous Provisions, §§ 60A-6-601 to 60A-6-605	1178
Art. 7. West Virginia Contraband Forfeiture Act, §§ 60A-7-701 to 60A-7-708	1178
Art. 8. Wholesale Drug Distribution Licensing Act of 1991, §§ 60A-8-1 to 60A-8-16	1187
Art. 9. Controlled Substances Monitoring, §§ 60A-9-1 to 60A-9-9	1194

	Page
Art. 10. Methamphetamine Laboratory Eradication Act, §§ 60A-10-1 to 60A-10-16	1202
West Virginia Rules of Criminal Procedure, Rules 1 to 60	1213
West Virginia Rules of Evidence, Rules 101 to 1102	1271
West Virginia Trial Court Rules (T.C.R.), Rules 30 to 40	1339
Appendix A: Notice of Bond Encumbrance	1346
Appendix B: Release of Notice of Bond Encumbrance	1347
Rules of Criminal Procedure of the Magistrate Courts of West Virginia, Rules 1 to 30	1349
Index	I-1