

SUPPORT Response to HB 5413
Relating to the Central Abuse & Sexual Offense Fees
February 10, 2026

House Judiciary Committee:

[West Virginians for Rational Sexual Offence Laws \(WVRSOL\)](#) is a West Virginia non-profit association and an affiliate of the [National Association for Rational Sexual Offence Laws \(NARSOL\)](#), which advocates for society's segment that is adversely affected by the sex offender registry. We help families impacted by the registry, seek ways to maintain and improve public safety, recommend prudent use of state funding in this area, and work to ensure that proposed legislation is constitutional.

WVRSOL **SUPPORTS HB 5413** because it represents a rational update to irrational law/requirements.

The rational updates are:

- Changes the two payment dates & deadlines from 1/1 - 1/31 (Central Abuse Registry) and 1/1 - 6/30 (Sexual Offense Registry) annually, to a single combined date & deadline of 1/1 - 6/30 (Central Abuse & Sexual Offense Registry).
- Changes the payment rendered to from the county clerk's office, with a 10-day notice requirement from the registrant, to payment tendered directly to the WV State Police.
- Clarifies that those subject to both the Central Abuse Registry and the Sexual Offense Registry pay only a single \$125.00 fee, not a double fee of \$250.00

While we support the remedial changes proposed by HB 5413, they do not fully address the underlying constitutional deficiencies in the registry fee framework. As a result, the fee structure remains susceptible to legal challenge and continues to present material litigation risk to the State. This risk is exemplified by the pending federal civil rights action challenging the 2025 Sex Offense Registry Fee, brought pursuant to 42 U.S.C. § 1983 in *Kaso v. Mitchell*, No. 2:25-cv-00603 (S.D.W. Va.).

WVRSOL supports rational legislation that reduces abuse and sexual offenses, helps children and families, and improves public safety. HB 5413 supports these ideals by fixing and clarifying some of the irrational elements of the law enacted by HB-3164 in 2025. Therefore, we **SUPPORT** and respectfully urge the House, its members, and the House Judiciary Committee to **vote in favor of HB 5413**.

Sincerely,

Philip W. Kaso

Philip W. Kaso, Executive Director

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Works Cited

Kaso et al v. Mitchell. (n.d.). Justia Dockets & Filings. Retrieved February 5, 2026, from <https://dockets.justia.com/docket/west-virginia/wvsdce/2:2025cv00603/242454>