WEST VIRGINIA CODE: §29-22B-1710

§29-22B-1710. Employment of unlicensed person who is required to be licensed.

(a) A person who employs or continues to employ an individual not issued a license under the provisions of this article in a position with duties which would require a license under the provisions of this article is guilty of a misdemeanor and, upon conviction thereof, shall for a first offense be confined in a county or regional jail for not more than one year and fined not more than $5,000, except that, in the case of a person other than an individual, the amount of the fine imposed may be not more than $25,000.

(b) A second and each subsequent offense under this section shall be a felony and, upon conviction thereof, the person shall be confined in a state correctional facility for a term of not less than one year nor more than three years, and fined not less than $5,000 nor more than $25,000, except that, in the case of a person other than an individual, the fine may not be less than $50,000 nor more than $100,000.

WV Legislature