WEST VIRGINIA CODE: §53-8-1

§53-8-1. Definitions.

In this article, the following words have the meanings indicated.

"Final personal safety order" means a personal safety order issued by a magistrate under section seven of this article.

"Incapacitated adult" means any person who by reason of physical, mental or other infirmity is unable to physically carry on the daily activities of life necessary to sustaining life and reasonable health.

"Law-enforcement officer" means any duly authorized member of a law-enforcement agency who is authorized to maintain public personal safety and order, prevent and detect crime, make arrests and enforce the laws of the state or any county or municipality thereof, other than parking ordinances.

"Military protective order" means a protective order issued by a commanding officer in the United States Armed Forces, the West Virginia National Guard, or the National Guard of any other state against a person under such officer's command.

“Petitioner" means an individual who files a petition under section four of this article.

"Place of employment" includes the grounds, parking areas, outbuildings and common or public areas in or surrounding the place of employment.

"Residence" includes the yard, grounds, outbuildings and common or public areas in or surrounding the residence.

"Respondent" means an individual alleged in a petition to have committed an act specified in §53-8-4(a) of this code against a petitioner.

"School" means an educational facility comprised of one or more buildings, including school grounds, a school bus or any school-sponsored function or extracurricular activities. For the purpose of this subdivision, "school grounds" includes the land on which a school is built together with such other land used by students for play, recreation or athletic events while attending school. "Extracurricular activities" means voluntary activities sponsored by a school, a county board or an organization sanctioned by a county board or the State Board of Education and include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, organizations and clubs.

"Sexual offense" means the commission of the offenses set out in any of the following sections:

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(A) §61-8-9 of this code;

(B) §61-8-12 of this code;

(C) §61-8A-2 of this code;

(D) §61-8A-4 of this code;

(E) §61-8A-5 of this code;

(F) §61-8B-3 of this code;

(G) §61-8B-4 of this code;

(H) §61-8B-5 of this code;

(I) §61-8B-7 of this code;

(J) §61-8B-8 of this code;

(K) §61-8B-9 of this code;

(L) §61-8C-2 of this code;

(M) §61-8C-3 of this code;

(N) §61-8D-3a of this code;

(O) §61-8D-5 of this code; and

(P) §61-8D-6 of this code.

"Temporary personal safety order" means a personal safety order issued by a magistrate under section five of this article.

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