WEST VIRGINIA CODE: §61-8B-8

§61-8B-8. Sexual abuse in the second degree.

- (a) A person is guilty of sexual abuse in the second degree when such person subjects another person to sexual contact who is mentally defective or mentally incapacitated.
- (b) Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail not more than twelve months, or fined not more than \$500 and confined in the county jail not more than twelve months.