

LEGISLATIVE LINEUP



YOUR LEGISLATIVE UPDATE FROM CCAWV

Collective County Voices

April 6, 2018

Report from the 1st regular session of 2018 WV Legislature



BY: Vivian Parsons, Executive Director

Summary of County Legislation Passed and signed by the Governor 2018

The 1st regular session has ended and 260 bills completed legislative action, 129 Senate bills and 131 House bills. The Governor has vetoed 11 of those bills and signed 245. Four bills have become law without the Governor's signature, including the "Lottery Sports Wagering" bill. Below you will find a short summary of 68 of these bills that have county implications or county interest.

While this was a complicated and often frustrating session, counties did succeed in getting a couple of our legislative priority bills passed including SB 275 Relating to tax on purchases of intoxicating liquors and HB 2654 Expanding county commissions' ability to dispose of county or district property. We were also successful in getting some protective provisions in the Jail & Corrections Consolidation Bill (HB 4338). Many thanks to our CCAWV Legislative lobbying team...our lobbyist, office staff, and all of the members who made calls, sent emails/texts, and visited! It takes a team effort by everyone to be successful!

If there are other bills you'd like to know more about, just give our office a call at 304-345-4639. If you are viewing this report online, you can click on the bill number and review the complete language & history of the bill (always look for the enrolled version)!

Bill 	Title/Summary	Status 	Effective Date
<u>SB 10</u>	<u>Relating generally to PSC jurisdiction.</u> This bill excludes the setting and adjustment of rates, fees, and charges of municipal power systems from the jurisdiction of the Public Service Commission. It provides for a right of appeal by the customer. The bill gives public service districts the authority to accept payments for all fees and charges due by credit or check card and providing procedures and guidance for utilization of this method of payment. Further the bill clarifies the Public Service Commission's jurisdiction as was modified by chapters 161 and 209, Acts of the Legislature, last year during regular session, 2017, with respect to Internet protocol-enabled service, voice-over Internet protocol-enabled service, storm-water services by a public service district, political subdivisions providing separate or combined water and/or sewer services, and certain telephone company transactions. It does	Governor SIGNED 3/27/18	Passed 3/10/18 Effective from Passage (3/10/18)

Bill	Title/Summary	Status	Effective Date
	<u>NOT</u> expand the number of PSDs that go to their County Commission for rate setting.		
<u>SB 36</u>	<p><u>Relating generally to DNA testing.</u></p> <p>This bill adds a new section, designated §15-9B-4, all relating generally to DNA testing. It allows the West Virginia State Police Forensic Laboratory to use qualified outside entities for DNA testing; clarifying that the State Police shall attempt to contract with the Marshall University Forensic Science Center for certain DNA testing when outsourcing such testing. It grants legislative and emergency rule-making authority to the Sexual Assault Forensic Examination Commission and directs the commission to promulgate time frames for DNA sample submission. The bill expands the types of testing the West Virginia State Police Forensic Laboratory may outsource and authorizes law-enforcement and correctional officers to use reasonable force to obtain DNA samples. It provides that DNA samples taken by law-enforcement and corrections personnel in compliance with this article are deemed to be in good faith and exempts them from civil and criminal liability for good faith collection of samples done in a reasonable manner consistent with generally accepted practices. The bill further directs that erroneously obtained DNA samples be removed from the database and destroyed; and clarifies that judicial expungement proceedings proceed by petition.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
<u>SB 82</u>	<p><u>Including rebuttable presumptions in certain cases for firefighters with regard to workers' compensation.</u></p> <p>This bill relates to whom Workers' Compensation Fund is disbursed. It includes rebuttable presumptions for certain injuries and diseases for professional firefighters under following conditions; 1) employed a minimum of 2 years before onset of cardiovascular or pulmonary disease or death; 2) the injury or onset of the disease or death occurred within six months of having participated in firefighting or a training or drill exercise which actually involved firefighting; 3) in the case of the development of leukemia, lymphoma, or multiple myeloma and the person has been actively employed by a fire department as a professional firefighter for a minimum of five years in the WV prior to the onset, has not used tobacco products for at least 10 years, and is not over the age of 65 years.</p> <p>The bill will expire the rebuttable presumption regarding leukemia, lymphoma, or multiple myeloma arising out of, and in the course of, employment as a firefighter, on July 1, 2023, absent legislative action to the contrary. In the beginning this bill included volunteer firefighters, but that was amended out of the final bill.</p>	Governor SIGNED 3/27/18	Passed 3/9/18 Effective 90 days from Passage (6/7/18)
<u>SB 102</u>	<p><u>Creating WV Uniform Fiduciary Access to Digital Assets Act</u></p> <p>This bill relates to the Uniform Power of Attorney Act and the West Virginia Uniform Fiduciary Access to Digital Assets Act. It provides that an agent under power of attorney may exercise authority over the content of electronic communications sent or received by the principal. It clarifies the ability of an agent under a power of attorney to take self-benefitting actions and provides code references and additional language to the statutory form for power of attorney. The bill also creates the West Virginia Uniform Fiduciary Access to Digital Assets Act. It sets forth to whom the article applies and provides for user direction for disclosure of assets with or without an online tool. It addresses terms of service agreements; sets forth procedure for disclosing digital assets by the custodian and allows the custodian to assess reasonable administrative charges. The bill allows the custodian or fiduciary to seek court order when requests impose an undue burden and provides for disclosure of the content of electronic communications and other digital assets of deceased users and sets forth required documentation.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)

Bill	Title/Summary	Status	Effective Date
<u>SB 110</u>	<p><u>Requiring certain licensees notify law enforcement or EMS of life-threatening emergency on premises</u></p> <p>This bill requires a private club licensee to timely notify emergency medical services or law enforcement of a life-threatening medical emergency occurring on the licensee’s premises; authorizes sanctions against licensees’ that fail to notify such personnel; and requires a licensee to notify the Alcohol Beverage Control Administration within 48 hours of the occurrence of a life-threatening emergency. The bill permits the commissioner to sanction a licensee for failing to comply with the 48-hour notification requirement and provides examples of life-threatening medical emergencies. It also continues the Alcohol Beverage Control Enforcement Fund.</p>	<p>Governor SIGNED 3/20/18</p>	<p>Passed 3/6/18 Effective 90 days from Passage (6/4/18)</p>
<u>SB 141</u>	<p><u>Expanding county assessment and collection of head tax on breeding cows</u></p> <p>The current law requires the assessment and collection of \$1 on all breeding age sheep and goats to participate in the Coyote Control Program. This bill expands the county assessment and collection of a \$1 head tax on breeding cows if the owner participates in the Coyote Control Program and requires notice to the land owner.</p>	<p>Governor VETOED 3/28/18</p>	<p>Veto Reason: It creates a new fee for cow owners & could be the first step towards making the fee for cow owners mandatory.</p>
<u>SB 237</u>	<p><u>Authorizing Department of Revenue promulgate legislative rules</u></p> <p>Two rules of interest in the Tax & Revenue bundle bill of rules.</p> <p>1) The legislative rule filed in the State Register on July 27, 2017, relating to the State Tax Department (payment of taxes by electronic funds transfer, <u>110 CSR 10F</u>), is authorized.</p> <p>2)The legislative rule filed in the State Register on July 27, 2017, relating to the State Tax Department (property transfer tax, <u>110 CSR 22</u>), is authorized. (no changes to current procedures only the amount that counties can levy based on legislation passed last year to allow counties to increase county portion of tax to \$1.65 (formerly \$1.10) per \$500 in value on transfers.</p>	<p>Governor SIGNED 3/6/18</p>	<p>Effective from Passage (3/6/18)</p>
<u>SB 244</u>	<p><u>Specifying conditions for unlawful possession of firearm at school-sponsored activities</u></p> <p>Possession and /or carrying firearms were big topics this session. This bill makes it unlawful to possess a firearm or other deadly weapon on a school bus, in or on the grounds of any primary or secondary educational facility of any type, or at certain school-sponsored functions. It provides exception for in or on the grounds of any private primary or secondary school if the institution has adopted a written policy allowing for possession of firearms or other deadly weapons in the facility or on the grounds. The bill also sets forth the conditions under which a retired law-enforcement officer may possess a firearm or other deadly weapon on a school bus, in or on the grounds of any primary or secondary educational facility of any type, or at certain school-sponsored functions. The bill also excludes certain students from the exception that applies to a person specifically authorized by the board of education of the county or principal of the school where the property is located to conduct programs with valid educational purposes. It sets forth conditions that warrant certain persons holding a valid concealed handgun permit to possess a concealed handgun in a motor vehicle in a parking lot, traffic circle, or other areas of vehicular ingress or egress to a public school.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/10/18 Effective 90 days from Passage (6/8/18)</p>
<u>SB 261</u>	<p><u>Transferring certain powers and programs of WV Affordable Housing Trust Fund to WV Housing Development Fund</u></p> <p>This is a Governor’s bill to eliminate the West Virginia Affordable Housing Trust Fund and the West Virginia Affordable Housing Trust Fund Board of Directors, It authorizes the West Virginia Housing Development Fund to carry on the activities previously undertaken by the West Virginia Affordable Housing Trust Fund. Two fees previously deposited in the West Virginia Affordable Housing Trust Fund</p>	<p>Governor SIGNED 3/21/18</p>	<p>Passed 3/10/18 Effective 90 days from Passage (6/8/18)</p>

Bill	Title/Summary	Status	Effective Date
	shall be deposited in the West Virginia Housing Development Fund's Affordable Housing Fund, so that the West Virginia Housing Development Fund may continue providing funds to entities previously provided funds by the West Virginia Affordable Housing Trust Fund.		
<u>SB 272</u>	<p><u>Relating generally to drug control</u> This is a Governor's bill that requires reports to the Office of Drug Control Policy. It allows the Office of Drug Control Policy to establish a pilot program for community response to persons who have experienced a recent overdose. It also requires governmental agencies to require first responders to carry Naloxone and to be trained in Naloxone use; provided that Naloxone is subject to funding and availability. Finally, it will provide for a statewide standing order for Naloxone by the state health officer.</p>	Governor SIGNED 3/20/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 273</u>	<p><u>Reducing use of certain prescription drugs</u> This is a Governor's bill all relating to reducing the use of certain prescription drugs. It requires consultation with patients prior to prescribing an opioid and limits the amount that can be prescribed, with exceptions. It clarifies the definition of "pain management clinic"; and provides for referral to a pain clinic or pain specialist in certain instances and other alternative treatments. The bill requires insurance coverage for certain procedures to treat chronic pain; and requires the Board of Pharmacy to report quarterly to various licensing boards. It also permits the investigation and discipline for abnormal and unusual prescribing and dispensing of prescription drugs. It further provides for emergency rulemaking.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
<u>SB 275</u>	<p><u>Relating to tax on purchases of intoxicating liquors</u> Provides that effective January 1, 2019, the 5% intoxicating liquors tax collected on sales sourced within the corporate limits of a municipality will be remitted to the municipality and that the tax collected on sales sourced outside the corporate limits of a municipality be remitted to the county. There will no longer be a provision for 1 mile beyond city-limits collections going to the city. The bill also provides for sourcing rules for determining whether the tax is collected within or outside of the corporate limits of a municipality.</p> <p>This bill will further permit counties and cities to inspect and make copies of certain Tax Commissioner records relating to the collection of tax within the county and the municipalities in the county or the remittance of tax to such county or municipalities. This bill was a legislative priority for CCAWV</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 307</u>	<p><u>Declaring fundraising on state highway or roadway by volunteer fire department is not obstruction or nuisance</u> declaring that fundraising conducted by a volunteer fire department, school-sponsored or -approved group, bona fide charity, or nonprofit entity on a state highway or roadway within the boundaries of a municipality does not constitute an obstruction or nuisance if done during daylight hours, at signal-controlled intersections requiring all vehicles to stop, or at a location approved by municipal law enforcement.</p>	Governor SIGNED 3/20/18	Passed 3/6/18 Effective 90 days from Passage (6/4/18)
<u>SB 338</u>	<p><u>Changing date for employers to file annual reconciliation and withholding statements</u> The purpose of this bill is to change the due date for employers to file their annual reconciliation and withholding statements with the Tax Commissioner to January 31, which date is consistent with the date by which employers must file their annual employer withholding reconciliation statements with the Internal Revenue Service. It will require employers with over 50 employees or beginning January 1, 2018 any</p>	Governor SIGNED 3/20/18	Passed 3/3/18 Effective 90 days from Passage (6/1/18)

Bill	Title/Summary	Status	Effective Date
	employer that uses a payroll service and files withholding for 25 or more employees to file withholding return information electronically with the Tax Commissioner. An employer that is required to file electronically but does not do so is subject to a penalty in the amount of \$25 per employee for whom the return was not filed electronically, unless the employer shows that the failure is due to a technical inability to comply.		
<u>SB 339</u>	<u>Relating to WV Retirement Health Benefit Trust Fund within PEIA</u> This bill modifies definitions to provide flexibility for compliance with the Governmental Accounting Standards Board guidance; defines new terms; and allows the current allocation process for unfunded liability to continue.	Governor SIGNED 3/22/18	Passed 3/10/17. Effective 90 days from Passage (6/8/18)
<u>SB 343</u>	<u>Limiting expenses in preparing list for notice to redeem</u> This bill increases the amount of expenses that may be paid to a purchaser for expenses incurred in preparing the list of those to be served with notice to redeem and title examination up to \$500.	Governor VETOED 3/28 /18	Veto Reason: Conflicts with 11A-3-56. Enactment could result in the county paying more to purchaser than collected from redeemer.
<u>SB 351</u>	<u>Permitting ballot commissioners to serve while candidates for certain offices</u> This bill provides that a ballot commissioner cannot be a candidate for any office in any election held during the time he or she is serving as ballot commissioner, other than state, county, or district executive committee or delegate to the national convention of a political party.	Governor SIGNED 3/20/18	Passed 3/5/18 Effective from Passage (3/5/18)
<u>SB 359</u>	<u>Authorizing Supreme Court establish curricula for mental hygiene commissioners and certain magistrates</u> Relating generally to mental hygiene proceedings, this bill eliminates the current requirement that new mental hygiene commissioners undergo a minimum of three days training in mental hygiene areas; removes the current requirement that the training program include training in manifestations of mental illness and addiction; and instead authorizes the Supreme Court to establish curricula for mental hygiene commissioners and those magistrates designated by the chief judge of a judicial circuit to hold probable cause and emergency detention hearings involving involuntary hospitalization.	Governor SIGNED 3/20/18	Passed 3/7/18 Effective from Passage (3/7/18)
<u>SB 375</u>	<u>Relating to farmers markets</u> This bill removes local health departments from the farmers market vendor permit process and transfers rules and regulations for farmers markets, cottage foods, acidified foods, nonpotentially hazardous foods, and exempted foods from Department of Health and Human Resources to Department of Agriculture. The bill does permit local health departments to inspect and suspend food establishment permits in certain circumstances and to sample and inspect farmers market vendors and to invoke cessation of production in certain circumstances.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 392</u>	<u>Reconfiguring membership of Emergency Medical Services Advisory Council</u> This bill reconfigures and increases the membership of the council by adding three nonvoting citizen members and requiring three members to be representative of professional groups. The County Commissioners' Association continues to have a representative on the Council.	Governor VETOED 3/28/18	Veto Reason: Defective Title
<u>SB 395</u>	<u>Providing for judicial review of appealed decisions of Air Quality Review Board, Environmental Quality Board and Surface Mine Board</u>	Governor SIGNED 3/20/18	Effective from Passage (3/6/18)

Bill	Title/Summary	Status	Effective Date
	This bill makes changes to the general provisions for judicial review of final orders of various environmental boards; requires petition be filed within 30 days of entry of the final order; provides that appeal does not automatically stay any final order or action approved by a board; authorizes the chief or director to employ outside legal counsel without approval of the Attorney General; provides that decisions of the Air Quality Board, Environmental Quality Board, and Surface Mine Board denying an application for a permit, or approving or modifying the terms and conditions of a permit, may be directly appealed to the Supreme Court of Appeals; and provides for exceptions to this right of direct appeal.		
<u>SB 401</u>	<u>Requiring specified coverage in health benefit plans for treatment of substance abuse disorders</u> This bill all relates to requiring specified coverage in health benefit plans for outpatient and inpatient treatment for substance use disorders by July 1, 2019.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 406</u>	<u>Clarifying that ground emergency medical transportation is eligible for Medicare and Medicaid reimbursement</u> This bill relates to supplemental Medicare and Medicaid reimbursement. It clarifies that ground emergency medical transportation services providers owned or operated by, or providing services under contract with the state and certain political subdivisions thereof, are eligible for reimbursement from Medicare.	Governor SIGNED 3/20/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 412</u>	<u>Relating to authority of county litter control officers</u> The purpose of this bill is to provide that any litter control officer who is trained and certified as a law-enforcement officer and whose certification is active has the same authority as any other law-enforcement officer to enforce all litter laws and it includes litter control officers in the definition of the term "law-enforcement officer".	Governor SIGNED 3/27/18	Passed 3/6/18 Effective 90 days from Passage (6/4/18)
<u>SB 425</u>	<u>Policemen and Firemen Pension Fund</u> This bill removes sunset dates which members of policemen's or firemen's pension fund elect to participate in deferred retirement option plan.	Governor SIGNED 3/27/18	Passed 3/9/18 Effective 90 days from Passage (6/7/18)
<u>SB 427</u>	<u>Modifying form of notice for certain tax delinquencies</u> The purpose of this bill is to modify the form of notice for tax delinquencies of less than \$1000 due the state, county, district, or municipal corporations of the state, allowing the Secretary of State to give written notice by first class mail, rather than certified mail. Delinquencies of greater than \$1,000 still require certified mail.	Governor SIGNED 3/20/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
<u>SB 445</u>	<u>Allowing DOH acquire real or personal property for utility accommodation</u> The purpose of this bill is to allow the Division of Highways to acquire and lease interest in real property for utility accommodation upon agency right of way and increase public access to utility services, and to permit the division to advance the cost of utility relocation for those utilities which must bear their own utility relocation costs, whereby allowing timely utility relocation and road construction, and exponentially reducing division contract costs. It provides for allocation of costs and the repayments thereof for utility relocation on any state highway construction projects financed by proceeds of bonds or notes which are issued before July 1, 2021.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)

Bill	Title/Summary	Status	Effective Date
	It defines "Utility" to mean privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, data, information, video services, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. The term "utility" also includes those similar facilities which are owned or leased by a government agency for its own use, or otherwise dedicated solely to governmental use.		
<u>SB 461</u>	<u>Extending time to file petition for motor fuel excise tax refund</u> A petition for refund under §11-14C-9(c) or §11-14C-9(d) of this code shall be filed with the commissioner within one year from the end of the calendar year for purchases of motor fuel during the calendar year.	Governor SIGNED 3/22/18	Passed 3/8/18 Effective 90 days from Passage (6/6/18)
<u>SB 469</u>	<u>Converting Addiction Treatment Pilot Program to permanent program</u> The bill places the program under the control of the Department of Military Affairs and Public Safety; permits certain funding to come from a combination of sources; and requires reports to be submitted annually.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 479</u>	<u>Establishing local government monitoring by Auditor</u> The purpose of this bill is to assist in the audit and review of local governments. The bill establishes local government monitoring by the Auditor and authorizes cooperative agreements with higher education institutions to perform and participate in the monitoring program. It changes the \$300,000 expenditure threshold for performance of annual audits to \$500,000 and clarifies the notification and publication requirements when misfeasance, malfeasance, or nonfeasance is discovered as part of an audit, examination, or investigation. The bill lowers the time frame from 9 months in which a legal authority has to take action upon recommendations from an audit to only 90 days, or the Chief Inspector may move forward on such recommendations. The bill raises the cost limits for municipalities that receive \$2000 or less in tax revenues, for performance of services by the chief inspector from \$60 to \$200. The bill removes Class III municipalities from audit cost limits and increases audit cost limits on Class IV municipalities from \$2000 to \$3000; adding audit cost limits of \$3000 for municipalities' policemen and firemen pension and relief funds. The bill authorizes chief inspector to designate reports that disclose misfeasance, nonfeasance, or malfeasance, as confidential; and declares that audit work papers created by the chief inspector division are confidential and not deemed public records.	Governor SIGNED 3/20/18	Effective from Passage (3/7/18)
<u>SB 498</u>	<u>Creating two-year pilot program allowing all-terrain or recreational vehicles in Cabwaylingo State Forest</u> The purpose of this bill is relating to Cabwaylingo State Forest. The bill will create a pilot project permitting all-terrain or off-highway recreational vehicles on designated roads and trails in Cabwaylingo State Forest. It permits the Director of the Division of Natural Resources to designate roads, trails, and campgrounds and to close certain areas, or parts thereof, to public use and to establish special season and permit in consultation with the Director of the Division of Forestry. The bill will make it unlawful to operate an all-terrain or off-highway vehicle on any road or trail in Cabwaylingo State Forest without such special permit and will apply the ATV, UTV, and Motorcycle Responsibility Act to the project.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
<u>SB 501</u>	<u>Relating to accrued benefit of retirees in Deputy Sheriff Retirement System</u>	Governor SIGNED	Passed 3/10/18

Bill	Title/Summary	Status	Effective Date
	The purpose of this bill is to modify the Deputy Sheriff Retirement System accrued benefit for Deputy Sheriff Retirement System members to 2.5 percent beginning July, 1, 2018. According to the fiscal note, this is a revenue neutral move that will not increase the employer contributions to the retirement plan.	3/27/18	Effective (7/1/18)
<u>SB 528</u>	<u>Providing additional circuit judge for nineteenth judicial circuit</u> The counties of Barbour and Taylor shall constitute the nineteenth circuit and shall have one judge: <i>Provided</i> , That effective January 1, 2019, said circuit court shall have two judges; said additional circuit judge to be appointed by the Governor and subsequently elected at the next scheduled primary election to be held in 2020 for the unexpired term pursuant to <u>§3-10-3</u> of this code: <i>Provided, however</i> , That said additional circuit judge shall thereafter be elected at the regularly scheduled election(s) to be held in the year 2024 and every eighth year thereafter.	Governor SIGNED 3/27/18	Passed 3/9/18 Effective 90 days from Passage (6/7/18)
<u>SB 548</u>	<u>Authorizing county commissions to pay election officials</u> This bill authorizes compensation for election officials to be fixed by county commission and requires all election officials within a classification to be paid the same amount within each county. The bill also authorizes the Secretary of State to set maximum compensation rates in certain elections where costs are determined to be obligations of the state and if compensation is paid above maximum compensation set by Secretary of State during special elections, anything over will be county obligation. The bill permits the State Election Commission, with recommendation from HAVA Grant Board and consistent with legislative rules of the program, to approve grant to a county for the purchase of election systems or upgrades from the county assistance voting equipment fund. Finally the bill directs the Secretary of State to issue emergency rules setting criteria for issuance of such grants.	Governor SIGNED 3/27/18	Passed 3/9/18 Effective from Passage (3/9/18)
<u>SB 582</u>	<u>Allowing candidate for political party executive committee serve as election official</u> This bill permits candidates for district, county, or state political party executive committee to serve as election officials; and also permits the parent, child, sibling, or spouse of a candidate for district, county, or state political party executive committee to serve as election officials.	Governor SIGNED 3/27/18	Passed 3/10/18 Effective from Passage (3/10/18)
<u>SB 585</u>	<u>Altering boundary line between Doddridge and Harrison counties</u> AN ACT to attach to Harrison County an area of Doddridge County so as to place all of the grounds of the Salem Correctional Center, formerly the West Virginia Industrial Home, within the boundary of Harrison County and to change the boundary line between said counties in conformity therewith.	Governor SIGNED 3/20/18	Passed 3/9/18 Effective from Passage (3/9/18)
<u>SB 612</u>	<u>Relating to sale of municipal property</u> The purpose of this bill is to allow municipalities to use online auction services to sell real or personal property, as county commissions are presently authorized.	Governor SIGNED 3/27/18	Passed 3/9/18 Effective 90 days from Passage (6/7/18)
<u>SB 625</u>	<u>Creating WV Volunteer Fire and Rescue Act of 2018</u> all relating to creating the West Virginia Volunteer Fire and Rescue Act of 2018; --requiring Director of Purchasing Division make facilities and services of the division available to fire departments and companies and certain emergency medical services agencies by legislative rules or other agreement; --authorizing payment of death benefits to survivors of firefighter, emergency medical services, or law-enforcement provider who dies as a proximate result of the performance of his or her duties and increasing death benefits to be paid;	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)

Bill	Title/Summary	Status	Effective Date
	<p>--requiring any county fire prevention units to be formed and recognized under the regulations of the State Fire Commission for local fire departments;</p> <p>--increasing authorized reimbursement rate amount to \$1,500 and providing exception for incidents or accidents involving hazardous materials or extended search and rescue and water rescue incidents;</p> <p>--requiring payment of amounts owed as reimbursement within 75 days and permitting fire company or department to proceed to recover costs if payment or agreement not reached within 90 days;</p> <p>--authorizing Commissioner of the Bureau for Public Health to establish one or more statewide contracts for equipment and supplies utilized by emergency medical services agencies and requiring they be made available to certain emergency medical services agencies;</p> <p>--authorizing development of uniform standards for equipment and supplies used by emergency medical services agencies and giving legislative rule-making authority to Commissioner of the Bureau for Public Health to implement provisions;</p> <p>--requiring Commissioner of the Bureau for Public Health to recognize and give full credit for all continuing education credits approved or recognized by state or nationally recognized accrediting body;</p> <p>--establishing courtesy certification program for certified emergency medical services personnel in states bordering West Virginia; relieving courtesy certification applicants from requirement to comply with state certification standards; and authorizing rulemaking to implement</p> <p>--establishing special revenue fund known as Emergency Medical Services Equipment and Training Fund and authorizing use of fund for grants to equip emergency medical services providers and train emergency medical services personnel;</p> <p>--requiring Commissioner of the Bureau for Public Health establish grant program for equipment and training of emergency medical services providers and personnel; setting eligibility and certain priorities and granting rule-making authority to implement grant program;</p> <p>--authorizing Commissioner of Division of Highways enter into reimbursement agreements with certain fire departments for services provided relating to tree or debris removal from state highways and rights-of-way; setting conditions for and defining scope of reimbursement; and retaining authority of commissioner to properly remove and dispose of cleared trees, debris, or other obstacles;</p> <p>--granting legislative rule-making authority to implement reimbursement program;</p> <p>--authorizing State Fire Marshal establish one or more statewide contracts for equipment and supplies utilized by fire companies and departments and making them available to certain fire companies and departments as well as any other agency or subdivision with a need for those equipment or supplies;</p> <p>authorizing development of uniform standards for equipment and supplies used by fire companies and departments and giving legislative rule-making authority implement provisions;</p> <p>--establishing courtesy certification program for certified firefighters in states bordering West Virginia to serve as volunteer firefighters; relieving courtesy certification applicants from requirement to comply with state certification standards for volunteer firefighters; and authorizing rulemaking to implement the program;</p> <p>--establishing special revenue fund known as Fire Service Equipment and Training Fund;</p> <p>--authorizing use of fund for grants to equip volunteer and part-volunteer fire companies and departments and their members, and train volunteer and part-</p>		

Bill	Title/Summary	Status	Effective Date
	<p>volunteer firefighters; and requiring State Fire Marshal establish and implement a grant program.</p> <p>--requiring study and report from Insurance Commissioner regarding issues related to workers' compensation for volunteer and part-volunteer fire departments.</p>		
<p><u>SB 631</u></p>	<p><u>Relating generally to one-call system</u></p> <p>The purpose of this bill is to update the one-call system. adding and modifying definitions; creating Underground Damage Prevention Fund; creating Underground Facilities Damage Prevention Board; specifying authority, responsibilities, membership, and liability of board; requiring reports by board; authorizing actions by Public Service Commission; expanding required membership of one-call system; authorizing cost apportionment and collection from operators; modifying standard color code for temporary markings; exempting local or state government responding to emergency repair or replacement of traffic control device from notice requirements; requiring underground facilities be locatable; and providing for civil enforcement, including citations, orders, hearings, monetary civil penalties, and mandatory training.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/7/18 Effective 90 days from Passage (6/5/18)</p>
<p><u>HB 2654</u></p>	<p><u>Expanding county commissions' ability to dispose of county or district property</u></p> <p>This bill adds the ability of county commissions to dispose of such property to an authority, commission, instrumentality, or agency established by act of the State of West Virginia or any of its political subdivisions; noting that such sales are not required to be made considering the property's present commercial or market value. It sets a minimum value of \$1.00 for such sales and revises the requirement that property conveyed to volunteer fire department or volunteer ambulance service, or to an authority, commission, instrumentality, or agency, reverts back to county commission following termination of use and instead provides that such reversionary right may be disclaimed in a deed by the county commission.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/3/18 Effective 90 days from Passage (6/1/18)</p>
<p><u>HB 2843</u></p>	<p><u>Permitting Class III municipalities to be included in the West Virginia Tax Increment Act</u></p> <p>This bill gives Class III municipalities the authority to exercise the powers under the TIF act, and requires that at least 30 days prior to this publication, a copy of the notice and a copy of the proposed project plan shall be sent by first-class mail to the chief executive officer of all other levying bodies having the power to levy taxes on property located within the proposed development or redevelopment district.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/2/18 Effective 90 days from Passage (5/31/18)</p>
<p><u>HB 2890</u></p>	<p><u>Establishing a Library Facilities Improvement Fund</u></p> <p>This bill establishes a Library Facilities Improvement Fund in the State Treasurer's office that will serve to support library facilities construction, maintenance and improvement projects. Money for the fund will come from the following sources:</p> <ol style="list-style-type: none"> (1) All appropriations made by the Legislature to the fund; (2) Any moneys available from sources outside the West Virginia Library Commission; (3) Repayment of loans made by the West Virginia Library Commission pursuant to this section; and (4) All interest and other income earned from investment of moneys in the fund <p>The bill sets forth the general structure of fund and distribution of funds The West Virginia Library Commission shall evaluate potential recipient projects of funds from on a competitive basis.</p> <p>(1) The West Virginia Library Commission may provide loans to public libraries to support energy savings and critical maintenance projects with moneys in the fund.</p>	<p>Governor SIGNED 3/20/18</p>	<p>Passed 3/2/18 Effective 90 days from Passage (5/31/18)</p>

Bill	Title/Summary	Status	Effective Date
	(2) With the exception of loans made under this section, the West Virginia Library Commission may not expend any money from the fund toward a particular project unless the proposed expenditure is matched on a dollar-for-dollar basis by other sources.		
HB 2916	<p><u>Authorizing certain first responders to carry firearms</u></p> <p>This bill authorizes investigators employed by the Attorney General to carry a concealed handgun while engaged in official duties and requires such investigators to obtain and maintain a concealed handgun license. It further authorizes certain reserve deputy sheriffs to carry firearms, requires written permission of the sheriff to carry a firearm while acting as a reserve deputy sheriff and authorizes only for the purposes of defense of self or others. The bill establishes qualifications to carry and specifies the training required. It allows for reimbursement for the cost of the training.</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
HB 2995	<p><u>Permitting certain animal euthanasia technicians who have been certified by other states be certified animal euthanasia technicians in West Virginia</u></p> <p>The bill authorizes issuance of animal euthanasia technician certificate to certain persons certified by another state or jurisdictions and authorizes application and fees to be prescribed by the Board of Veterinary Medicine in legislative rule.</p>	Governor SIGNED 3/21/18	Passed 3/10/18 Effective 90 from Passage (6/8/18)
HB 3004	<p><u>Relating to filling vacancies in certain offices</u></p> <p>This bill provides that the Governor shall appoint a person to fill a vacancy in an elected state office, choosing from a list of candidates required to be submitted by the executive committee of the political party with which the individual vacating the office was affiliated at the time the vacancy occurred and establishes a deadline for a party executive committee to submit names of qualified persons. It also provides that appoint be made by the Governor within a certain time. If the Party executive committee fails to submit properly qualified persons, the Governor shall appoint a person of the same political party. The same procedure would be used to fill a vacancy in the office of the United States Senator and the state legislature.</p> <p>The bill also provides for a county commission to select a person to fill a vacancy in the office of county commissioner or county clerk, who, for at least sixty days prior to the time a vacancy occurred, was affiliated with the same political party with which the individual vacating the office was affiliated at the time the vacancy occurred.</p> <p>If a quorum of the county commission fails to make an appointment within 30 days, the county executive committee of the same political party with which the person holding the office preceding the vacancy was affiliated at the time the vacancy occurred, shall submit a list of three legally qualified persons to fill the vacancy. Within 15 days from the date on which the list is received, the county commission shall appoint a candidate from the list to fill the vacancy. If the county commission fails to make the appointment within the specified time, then the county commissioner with the longest tenure shall eliminate one name from the submitted list, followed by the county commissioner with the second-longest tenure then eliminating one name from the submitted list. The name remaining after those two names have been eliminated shall be deemed to be appointed by the county commission to fill the vacancy.</p> <p>If the number of vacancies in a county commission deprives that body of a quorum, the Governor shall make an appointment to fill any vacancy in the county</p>	Became law without Governor's signature.	Passed 3/1/18 Effective 90 from Passage (5/30/18)

Bill	Title/Summary	Status	Effective Date
	<p>commission necessary to create a quorum, from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred.</p> <p>An appointment made pursuant to this section is for the period of time provided in §3-10-1 of this code</p>		
<p>HB 3005</p>	<p><u>Relating to regulation of unmanned aircraft systems</u> This bill creates a misdemeanor criminal offense for certain conduct using an unmanned aircraft system, and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 or confined in jail for not more than one year, or both. This misdemeanor conduct includes:</p> <ol style="list-style-type: none"> (1) To knowingly and intentionally capture or take photographs, images, video, or audio of another person or the private property of another, without the other person's permission, in a manner that would invade the individual's reasonable expectation of privacy, including, but not limited to, capturing, or recording through a window; (2) To knowingly and intentionally view, follow, or contact another person or the private property of another without the other person's permission in a manner that would invade the individual's reasonable expectation of privacy, including, but not limited to, viewing, following, or contacting through a window; (3) To knowingly and intentionally harass another person; (4) To violate a restraining order or similar judicial order; (5) To act with a willful wanton disregard for the safety of persons or property; or (6) To knowingly and intentionally operate an unmanned aircraft system in a manner that interferes with the official duties of law enforcement personnel or emergency medical personnel. <p>It creates a felony criminal offense for operating an unmanned aircraft system equipped with a lethal weapon, creating an exception for military purposes in an official capacity. It creates a felony criminal offense for operating an unmanned aircraft system with the intent to cause damage or disrupt in any way the flight of a manned aircraft and creates an exception for operating an unmanned aircraft system for commercial purposes that is authorized by the Federal Aviation Administration in a manner that is consistent with federal law. Upon conviction of either felony, one shall be fined not less than \$1,000 nor more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/7/18 Effective 90 days from Passage (6/5/18)</p>
<p>HB 4002</p>	<p><u>Providing that all delegates shall be elected from one hundred single districts following the United States Census in 2020</u> This bill creates a new section, designated §1-2-2c, relating to the decennial redistricting of the House of Delegates and providing that following the reapportionment and redistricting of the Legislature following the United States Census in 2020, all delegates shall be elected from one hundred single member districts.</p>	<p>Governor SIGNED 3/21/18</p>	<p>Passed 3/10/18 Effective 90 days from Passage (6/8/18)</p>
<p>HB 4142</p>	<p><u>Providing certain employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority a salary adjustment</u> This bill directs that a pay equity salary adjustment and increase be provided to all employees of the Division of Corrections, Division of Juvenile Services, and the West Virginia Regional Jail and Correctional Facility Authority, regardless of where the employee reports to work. This salary adjustment shall be for a total of \$6,000 apportioned over a three-year period as follows: \$2,000 on July 1, 2018; \$2,000 on July 1, 2019; and \$2,000 on July 1, 2020.</p>	<p>Governor SIGNED 3/10/18</p>	<p>Passed 3/6/18 Effective 90 days from Passage (6/4/18)</p>

Bill	Title/Summary	Status	Effective Date
	<p>(c) Funding for the pay rates for employees of the Division of Corrections and Division of Juvenile Services shall be provided from the general revenue appropriations to the Division of Corrections and Division of Juvenile Services, respectively.</p> <p>(d) The salary adjustment for employees of the West Virginia Regional Jail Authority shall be funded from the special revenue fund established in §31-20-10 of this code and shall not require additional general revenue appropriations from the Legislature.</p>		
HB 4162	<p><u>Granting authority to the State Conservation Committee to contract for flood response</u></p> <p>This bill grants authority to the State Conservation Committee to contract for services directly related to natural disaster recovery and stream restoration related to flooding, on an as needed basis. Further, it permits the State Conservation Committee to comply with present and future federal aid statutes and regulations including execution of contracts or agreements with programs of the United States government and its proper departments, bureaus or agencies relating to natural disaster response, recovery or stream restoration related to flooding.</p>	<p>Governor SIGNED 2/27/18</p>	<p>Passed 2/15/18 Effective 90 days from Passage (5/16/18)</p>
HB 4238	<p><u>Authorizing counties and municipalities to establish a joint airport hazard comprehensive plan</u></p> <p>This bill authorizes counties and municipalities to establish a joint airport hazard comprehensive plan for the purpose of satisfying requirements of federal aviation law, protecting the public safety, and preventing hazardous conditions. It describes requirements for written agreements and requires submission of a plan and a public hearing.</p>	<p>Governor SIGNED 3/22/18</p>	<p>Passed 3/5/18 Effective 90 days from Passage (6/3/18)</p>
HB 4242	<p><u>Clarifying the jurisdictional amount for removal of a civil action from magistrate court to circuit court</u></p> <p>At any time before trial in a civil action involving less than (was \$2,500) \$5,000 the action may be removed to circuit court upon the concurrence of all parties and upon the payment of the circuit court filing fee. At any time before trial in a civil action involving (was \$2,500) \$5,000 or more, any party may, upon payment of the circuit court filing fee, cause such action to be removed to the circuit court: <i>Provided</i>, That at any time before trial in any action for wrongful occupation or unlawful detainer involving \$2,500 or more any party may, upon payment of the circuit court filing fee, cause such action to be removed to circuit court. All appropriate documents shall then be forwarded along with the fee to the clerk of the circuit court. The matter shall then be heard by the circuit court.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 2/16/18 Effective 90 days from Passage (5/17/18)</p>
HB 4276	<p><u>Allowing magistrates to grant work release privileges</u></p> <p>When a defendant is sentenced or committed for a term of one year or less by a magistrate of the state of West Virginia having criminal jurisdiction, the court may in its order grant to the defendant the privilege of leaving the jail during necessary and reasonable hours to work at his or her employment.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/8/18 Effective 90 days from Passage (6/6/18)</p>
HB 4338	<p><u>Relating to the powers and authority of the Divisions of Administrative Services, and Corrections and Rehabilitation of the Department of Military Affairs and Public Safety</u></p> <p>This bill relates generally to supervision of persons committed to the custody of the Division of Corrections, Division of Juvenile Services, and the Regional Jail and Correctional Facility Authority. It eliminates multiple code sections and creates new ones. Although quite lengthy, this summary does not include all changes occurring in this bill but strives to explain those that counties will be most interested in. It is a very long bill and can be found in its entirety at:</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/10/18 Effective (7/1/18)</p>

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	<p>http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=HB4338%20SUB%20ENR.htm&vr=2018&sesstype=RS&i=4338</p> <p>This bill creates a new Division of Administrative Services within Department of Military Affairs and Public Safety; defines the scope of duties for the new division; appoints a director; provides authority and duties and authorizes the director to enter into memorandum of understanding with certain agencies to provide services. The bill transfers certain employees, responsibilities, equipment and records to this new Division of Administrative Services.</p> <p>The bill creates a new Division of Corrections and Rehabilitation within Department of Military Affairs and Public Safety. It eliminates the Division of Corrections and the Division of Juvenile Services and transfers powers and authority to the new Division of Corrections and Rehabilitation. It also transfers most of the powers and authority of Regional Jail and Correctional Facility Authority to the new Division of Corrections and Rehabilitation. The bill authorizes the appointment of a commissioner of the new Division and abolishes the position of Commissioner of Division of Corrections, Director of Juvenile Services, and Executive Director of Regional Jail and Correctional Facility Authority. The powers of each of these abolished positions is vested in the new commissioner of Division of Corrections and Rehabilitation. The bill sets up a system of processes for hiring officers and employees of corrections institutions. It establishes a Corrections Special Operations Team and authorizes the commissioner to prescribe the design of new employee uniforms to be the same across the whole division and different from State Police, County Sheriffs' officers and municipalities. This bill exempts the new division from the current bid procedures for all state agencies and creates a new specific process. It authorizes the lease of the West Virginia penitentiary in Moundsville, subject to certain conditions, and with approval of secretary of Military Affairs and Public Safety.</p> <p>The bill also creates 3 new bureaus under the new Division of Corrections and Rehabilitation: Bureau of Prisons and Jails, Bureau of Juvenile Services and Bureau of Community Corrections and creates deputy commissioners for each.</p> <p>It transfers duties and funds of Division of Corrections to Bureau of Prisons and Jails and transfers duties and funds of Division of Juvenile Services to Bureau of Juvenile Services. The bill requires commissioner to make space in every adult institution for both jail and prison populations.</p> <p>Any special revenue funds previously administered by the Regional Jail and Correctional Facility Authority or its Executive Director are continued, and shall be administered by the new commissioner. Funds that have been transferred by the new §15A-3-16(a) of this code shall be limited in use <i>to operations of jail functions</i>, and for payment to the Regional Jail and Correctional Facility Authority Board, for payment of indebtedness. In no case shall a fund be utilized to offset or pay operations of nonjail parts of the facility: <i>Provided</i>, That funds may be utilized on a pro rata basis for shared staff and for operational expenses of facilities being used as both prisons and jails.</p> <p>This bill requires payment by county or municipality for per-diem cost of incarceration, (currently \$48.25) and caps per-diem at the current level for a period of 3 years. Following the 3-year period, the bill provides that the per-diem cost for each incarcerated inmate will be determined by the state Budget Office, by examining the most recent three years of costs submitted by the new Commissioner</p>		

Bill	Title/Summary	Status	Effective Date
	<p>of Corrections and Rehabilitation for the cost of operating the jail facilities and units under his or her jurisdiction, and taking an average per day, per inmate cost of maintaining the operations of the jail facilities.</p> <p>The county is responsible for costs incurred by the division for housing and maintaining inmates in its facilities who are pretrial inmates and convicted misdemeanants. The costs of housing shall be borne by the division on a felony conviction on which an inmate is incarcerated beginning the calendar day following the day of sentencing: <u><i>Provided, That beginning July 1, 2019, the costs of housing shall be borne by the division of Corrections and Rehabilitation on a felony conviction when an inmate is incarcerated beginning the calendar day following the day of conviction.</i></u> In no case shall the county be responsible for any costs of housing and maintaining felony convicted inmate populations.</p> <p>This bill directs that on or before July 1, 2020, the commissioner shall prepare a report on the <u>feasibility of phasing out the county and municipal per diem charges required by §15A-3-16(g) of this code.</u> This report shall include information regarding savings realized because of the consolidation of the former Division of Corrections, Division of Juvenile Services, and the operations of the Regional Jail and Correctional Facility Authority, as well as any other recommendations that might ease the burden of paying the per diem inmate costs by the counties or municipalities. On or before January 1, 2019, January 1, 2020 and January 1, 2021, the commissioner shall report to the Joint Committee on Government and Finance and the co-chairmen of the Joint Standing Committee on Finance the actual per diem rate as calculated pursuant to §15A-3-16(g) of this code and any amount not assessed to counties if the actual per diem cost is larger than the amount charged to the counties or municipalities pursuant to §15A-3-16(g) between July 1, 2018 and July 1, 2021.</p> <p>The bill continues the Jail Operations Partial Reimbursement Fund but adds stipulation that only counties and municipalities that, on July 1 of each year, are not more than 90 days delinquent in payments for moneys to incarcerate its offenders are eligible to receive this reimbursement.</p> <p>Finally, the bill significantly modifies the Regional Jail and Correctional Facility Authority Board. It keeps the members the same, but the powers and authority of the Regional Jail and Correctional Facility Authority Board, in relation to all functions of correctional operations, are abolished, and these powers and authority are transferred to the Division of Corrections and Rehabilitation as of July 1, 2018. The Regional Jail and Correctional Facility Authority Board shall only retain the powers to continue to pay the bond debt on the jail facilities until the debt is satisfied and the authority to review per diem cost set by state Budget Office and providing procedures to sue if amount is challenged or believed incorrect.</p> <p>This bill creates in the State Treasury a Regional Jail and Correctional Facility Board Fund. The fund shall be controlled by the board, and utilized for the sole purpose of payment of the outstanding bond series. The Commissioner of the Division of Corrections and Rehabilitation shall, transfer monthly the amount necessary for the monthly payment of the bond, to this fund. Further, on the effective date of this section, the commissioner shall transfer to this fund the reserve amount required by the bonds. On the date that the bonds are satisfied in full, these obligations shall cease, and any funds left in the board fund shall be transferred to the Commissioner of the Division of Corrections and</p>		

Bill	Title/Summary	Status	Effective Date
	<p>Rehabilitation: <i>Provided, That the funds can only be used in the manner directed or established by the board.</i></p> <p>The Regional Jail Authority shall also review the per diem cost set by the state Budget Office, pursuant to §15A-3-16 of this code. If the authority believes that the amount set by the state Budget Office is incorrect, or that the amounts submitted by the Division of Corrections and Rehabilitation include more than what should be attributed to the efficient operation of jail facilities and units, the authority may institute an action in regard to this pursuant to §29A-5-1 <i>et seq.</i> of this code.</p> <p>The bill grants rule-making authority to develop policies and continues legislative rules and policies of former Division of Corrections, Division of Juvenile Services, and Regional Jail and Correctional Facility Authority.</p>		
HB 4347	<p><u>Relating to voluntary contributions to the West Virginia State Police Forensic Laboratory Fund</u></p> <p>This bill creates a process to make voluntary contributions to the West Virginia State Police Forensic Laboratory Fund. It permits each person applying for the issuance of or renewal of a driver's license to voluntarily contribute to the State Police Forensic Laboratory Fund. It requires the Division of Motor Vehicles to provide a form through which such voluntary contributions can be made and requires the Division of Motor Vehicles to remit the voluntary contributions on a monthly basis to the State Treasurer for deposit in the State Police Forensic Laboratory Fund.</p>	<p>Governor SIGNED 3/20/18</p>	<p>Passed 3/3/18 Effective 90 days from Passage (6/1/18)</p>
HB 4424	<p><u>Providing that the Ethics Act applies to certain persons providing services without pay to state elected officials</u></p> <p>This bill clarifies that the West Virginia Governmental Ethics Act applies to public servant volunteers and that the requirements of the West Virginia Governmental Ethics Act apply to a person who is granted or vested with powers, privileges or authorities ordinarily reserved to public officials or who performs services, without compensation, on behalf of a public official.</p>	<p>Governor SIGNED 3/27/18</p>	<p>Passed 3/10/18 Effective 90 days from Passage (6/8/18)</p>
HB 4434	<p><u>Clarifying provisions relating to candidates unaffiliated with a political party as it relates to certificates of announcement</u></p> <p>This bill prohibits any person from becoming a candidate for political office by virtue of the nomination-certificate process when he or she, at the time of the filing of the nomination certificate or certificates, is registered and affiliated with a recognized political party as defined in §3-1-8 of the WV code or when he or she was a candidate for nomination by a recognized political party as defined in §3-1-8 of the WV code but failed to win the nomination of his or her party.</p>	<p>Governor SIGNED 3/22/18</p>	<p>Passed 3/7/18 Effective 90 days from Passage (6/5/18)</p>
HB 4436	<p><u>Clarifying when a minor between the ages of 16 and 18 may be employed by or elected as a member of a volunteer fire department</u></p> <p>This bill allows a child between the ages of sixteen and eighteen years who is enrolled in, participating in, or has completed the minimum training requirements of the West Virginia State Fire Commission, West Virginia Department of Education Public Service Training, or West Virginia University fire service extension, or equivalent approved program, and who has the written consent of his or her parents or guardian to be employed by or elected as a member of a volunteer fire department to perform fire fighting functions: <i>Provided, however,</i> That no child may be permitted to operate any fire fighting vehicles, enter a burning building in the course of his or her employment or work or enter into any area determined by the fire chief or fireman in charge at the scene of a fire or other emergency to be an</p>	<p>Governor SIGNED 3/20/18</p>	<p>Passed 3/5/18 Effective 90 days from Passage (6/3/18)</p>

Bill	Title/Summary	Status	Effective Date
	area of danger exposing the child to physical harm by reason of impending collapse of a building or explosion, unless the child is under the immediate supervision of a fire line officer.		
HB 4444	<p><u>Clarifying the authority of the State Fire Commission in adopting a State Building Code</u></p> <p>The State Fire Commission shall propose a rule for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code to include building energy codes in the State Building Code, but this bill eliminates the requirements that the energy codes be based on the following two provisions:</p> <p><i>(1) The 2009 edition of the International Energy Conservation Code for residential buildings or other building energy code or codes for residential buildings that meets or exceeds equivalent energy savings; and</i></p> <p><i>(2) The ANSI/ASHRAE/IESNA Standard 90.1-2007 building energy code for commercial buildings or other building energy code or codes for commercial buildings that meets or exceeds equivalent energy savings.</i></p>	Governor SIGNED 3/20/18	Passed 3/5/18 Effective 90 days from Passage (6/3/18)
HB 4447	<p><u>Providing for a uniform and efficient system of broadband conduit installation</u></p> <p>This bill provides a uniform and efficient system of broadband conduit installation “coinciding” with the construction, maintenance, or improvement of highways and rights-of-way under the oversight of the Division of Highways. It provides for highway safety guidelines; establishes a procedure for joint use between telecommunications carriers; sets forth a procedure for monetary and in-kind compensation; provides a method for Division of Highways to offer excess conduit to a telecommunications carrier; sets forth standards to be utilized in agreements entered into by the Division of Highways and two or more telecommunications carriers in a single trench; provides that existing rules, policies, and procedures of the Division of Highways and United States Code shall control; and provides that the Commissioner of the Division of Highways may promulgate rules.</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
HB 4462	<p><u>Allowing off duty members and officers of the department of public safety to guard private property</u></p> <p>This bill allows off duty members and officers of the State Police to contract to work for a private person or entity during off duty hours as long as the type of the contract work does not violate State Police rules as to location or nature.</p>	Governor SIGNED 3/22/18	Passed 3/8/18 Effective 90 days from Passage (6/6/18)
HB 4473	<p><u>Relating to use of state funds for advertising to promote a public official or government office</u></p> <p>The purpose of this bill is to clarify the definition of “advertising” relating to the promotion of a public official or government office and to distinguish between advertising and purely educational materials and to make allowances for press releases intended for legitimate news and informational purposes.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
HB 4502	<p><u>Adding the crimes of murder and armed robbery to the list of offenses for which a prosecutor may apply for an order authorizing interception</u></p> <p>This bill ended up including treason, murder, certain degrees of robbery, certain felony sexual offenses, and organized criminal activity to the list of offenses for which a prosecutor may apply for an order authorizing interception of communications.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
HB 4509	<p><u>Relating to the establishment of substance abuse treatment facilities</u></p> <p>This bill encourages and allows the establishment of substance abuse treatment and recovery facilities and allows the Department of Health and Human Resources to</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage

Bill	Title/Summary	Status	Effective Date
	provide funding to facilities that provide peer-support services which follow specified standards.		(6/5/18)
HB 4546	<p><u>Relating to where an application for a marriage license may be made</u> Applicants, regardless of their state or county residency, may apply for a marriage license to be issued by the clerk of the county commission in any county in this state. Applications for licenses may be received and licenses may be issued by the clerk of the county commission when the office of the clerk is officially open for the conduct of business.</p>	Governor SIGNED 3/27/18	Passed 3/7/18 Effective 90 days from Passage (6/5/18)
HB 4571	<p><u>Relating to the final day of filing announcements of candidates for a political office</u> This bill addresses the filing of certificates of announcement of candidacy for a political office on the final day, requiring that the office of the Secretary of State be open from 9:00 a.m. until 11:59 p.m. on the last day of the period during which a certificate of announcement may be filed; and requiring that the offices of the county clerks of each county be open from 9:00 a.m. until 12:00 p.m. (noon) on the last day of the period during which a certificate of announcement may be filed.</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
HB 4603	<p><u>Providing immunity from civil liability to facilities and employees providing crisis stabilization</u> This bill creates a new article, designated §55-7K-1 and §55-7K-2, relating to providing immunity from civil liability to certain facilities, including their directors, officers, employees, and agents, providing crisis stabilization and/or drug and alcohol detoxification services, substance use disorder services, and/or drug overdose services on a short-term basis. It also provides that the provisions of this article are to operate in addition to, and not in derogation of, any of the provisions contained in the Medical Professional Liability Act.</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
HB 4607	<p><u>Establishing certain criteria for the restricted operation of drones within State Parks, Forests, and Rail Trails</u> This bill relates to the Division of Natural Resources permitting the use of recreational unmanned aircraft systems in state parks, state forests, and on rail trails. It requires persons who intend to operate unmanned aircraft systems to register with the state park superintendent prior to participating in the use of any unmanned aircraft system and establishes certain criteria for the restricted operation of unmanned aircraft systems within state parks, forests, and rail trails. The bill clarifies that persons who operate unmanned aircraft systems assume full responsibility and liability.</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective 90 days from Passage (6/8/18)
HB 4628	<p><u>Relating to authorizing the redirection of amounts collected from certain surcharges and assessments on workers' compensation insurance policies for periods prior to January 1, 2019</u> This bill also terminates the surcharges and assessments on self-funded workers' compensation pools after December 31, 2018. Eliminating these surcharges is important to the WV Counties Risk Pool and this legislation was supported by CCAWV.</p>	Governor SIGNED 3/22/18	Passed 3/9/18 Effective 90 days from Passage (6/7/18)
HB 4629	<p><u>Relating to broadband enhancement and expansion policies generally</u> This bill relates to broadband enhancement and expansion policies generally. It repeals language relating to pilot project for cooperative associations by political</p>	Governor SIGNED 3/27/18	Passed 3/10/18 Effective from Passage

Bill	Title/Summary	Status	Effective Date
	subdivisions; and provides that a political subdivision of this state may be a qualified person for the purposes of forming a cooperative association.		(3/10/18)