

LEGISLATIVE LINEUP



YOUR LEGISLATIVE UPDATE FROM CCAWV

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Collective County Voices

Thursday, February 18, 2021
Week 2 of the 2021 WV Legislature

HB2015 On Second Reading; SB12 Heads to the Floor

- House Bill 2015 dealing with local health boards is on second reading today. This bill would require commissioners to approve or ratify health policy determined by the local health boards.
- This would open up commissions to a great deal of liability. CCAWV feels that public health should stand alone and commissioners do not want this liability.
- There are 48 health boards (some county, some county-city and some are multiple counties) and there were only a few examples given regarding health department local control. This has more to do with issues such as liquor sales and masks that have occurred during the pandemic.
- Please contact your House representatives and tell them that counties do not want this liability. There are methods in place to remove appointees if necessary.
- SB12 is on first reading.










SB270

SB270 relating to collection of tax by hotel marketplace facilitators is on the Senate Gov Org agenda today at 2:00 pm. Carol Fulks and Ritchie Heath with WVHTA will be monitoring. This bill is single referenced. Our understanding is that they are going to do a committee substitute for the bill that will correct language so that the remittance will go directly to counties and municipalities.

SB32













Senate Bill 32 was pulled last week from Senate Finance agenda. It is still referred and there are ongoing conversations. The tax department is waiting on some data to come back and then there will be another work group meeting. Appears to be some confusion regarding the bill. Assessors are heavily involved in this.

If you are viewing this report online, you can click on bill numbers to review the full language of the bill or resolution. Be sure to look at the latest version!

2021Bills - 2021 Regular Session					
Bill	Title	SA/SI	Last Action	Committee Reference	Notes
HJR 3 (None)   	Property Tax Modernization Amendment		02/11/21 - To House Finance	House Ref. 1 - Finance House Ref. 2 - Judiciary	<p>he purpose of this resolution is to provide the Legislature with authority to establish the valuation, assessment value and classification of property in this state for purposes of ad valorem taxation, to fix maximum rates for the taxation thereof by the levying bodies, and to provide for the exemption thereof from taxation, fully or in part, all to be determined as provided by general law, effective on and after January 1, 2023; and to preserve all existing exemptions from taxation where provided by constitution.</p> <p>Edit Delete</p>
SB 4 (None)   	Creating Intermediate Court of Appeals		02/10/21 - To Senate Judiciary	Senate Ref. 1 - Judiciary Senate Ref. 2 - Finance	<p>The purpose of this bill is to create an Intermediate Court of Appeals</p> <p>Edit Delete</p>
SB 12 (None)   	Relating to local health department accountability		02/18/21 - To Senate On 1st reading 1st Reading	Senate Ref. 1 - Health and Human Resources	<p>The purpose of this bill is to update the authority of local health departments. The bill defines “appointing authority” and permits the appointing authority to remove local health board members and can serve as ex-officio non-voting members of the local health board THi. Additionally, the bill requires a thirty-day public comment period for rules of local health board of health. The rules will be published in the State Register. The notice includes the date, time and place to submit public comments. The bill sets forth timeframes for the</p>






					<p>process. Approved rules shall be filed as public comments. The bill requires local health departments to come under the control of the state health officer when the Governor declares a state of emergency in that county.</p> <p>Edit Delete</p>
SB 18 <div> <div></div> <div></div> <div></div> </div>	<p>(None)</p> <p>Allowing workers' compensation for first responders diagnosed with PTSD due to event during employment</p>	SI HB2051 SI SB320	02/10/21 - To Senate Banking and Insurance	Senate Ref. 1 - Banking and Insurance Senate Ref. 2 - Finance	<p>The purpose of this bill is to provide workers' compensation to first responders diagnosed with Post-Traumatic Stress Disorder by a psychiatrist from an event that occurred during their employment.</p> <p>Edit Delete</p>
SB 22 <div> <div></div> <div></div> <div></div> </div>	<p>(None)</p> <p>Relating to surcharge on fire and casualty insurance policies for funding volunteer fire departments</p>		02/10/21 - To Senate Banking and Insurance	Senate Ref. 1 - Banking and Insurance Senate Ref. 2 - Finance	<p>The purpose of this bill is to restore to one percent the surcharge on fire and casualty insurance policies to fund volunteer fire departments. Obsolete language is removed.</p> <p>Edit Delete</p>
SB 32 <div> <div></div> <div></div> <div></div> </div>	<p>(None)</p> <p>Relating to valuation of natural resources land property</p>		02/10/21 - To Senate Finance	Senate Ref. 1 - Finance	<p>The purpose of this bill is to clarify, for purposes of this article, the types of operating expenses that must be used for purposes of valuing producing oil and natural gas wells, the methodology that shall be used by the Tax Commissioner in calculating operating expenses, the confidentiality of information submitted by natural resource producers to the Tax Commissioner, reports that must be submitted by the Tax Commissioner to the Joint Committee on Government and Finance, and to provide for alternate appeal of proposed valuation of natural resources property for ad valorem property tax purposes.</p> <p>Edit Delete</p>










SB 72	(None)	Requiring notice be sent to owners of record before real property can be sold due to nonpayment of taxes		02/10/21 - To Senate Government Organization	Senate Ref. 1 - Government Organization	The purpose of this bill is to require the sheriff to send notices to the owners of record and to each resident or occupant of real property prior to selling the property for which property taxes have not been paid. <a>Edit <a>Delete
SB 91	(None)	Requiring State Police to follow towing services policies of county of location		02/10/21 - To Senate Transportation and Infrastructure	Senate Ref. 1 - Transportation and Infrastructure	The purpose of this bill is to require members of the State Police to follow towing services policies of the counties in which they are located. <a>Edit <a>Delete
SB 99	(None)	Creating surcharge on fire and casualty insurance policies to help municipalities and counties with certain fire-related cleanup and demolition		02/10/21 - To Senate Banking and Insurance	Senate Ref. 1 - Banking and Insurance Senate Ref. 2 - Finance	The purpose of this bill is to create a fund to relieve the burden upon municipalities and counties of certain fire related cleanup and demolition. <a>Edit <a>Delete
SB 106	(None)	Creating personal income tax credit for volunteer firefighters		02/10/21 - To Senate Finance	Senate Ref. 1 - Finance	The purpose of this bill is to provide for a \$5,000 tax credit for service by volunteer firefighters to West Virginia personal income tax liabilities. <a>Edit <a>Delete
SB 122	(None)	Allowing counties to hold inmates under certain circumstances in county jail		02/10/21 - To Senate Judiciary	Senate Ref. 1 - Judiciary Senate Ref. 2 - Finance	The purpose of this bill is to permit prisoners and persons charged with a crime to be held in the jails of their counties of residence. <a>Edit <a>Delete
SB 125	(None)	Budget Bill		02/10/21 - To Senate Finance	Senate Ref. 1 - Finance	<a>Add a note.
SB 157	(None)	Fire Marshal rule relating to standards for certification and continuing education municipal, county, and other public sector	SI HB2443	02/12/21 - To Senate Reported in Com. Sub. for S. B. 156	Senate Ref. 1 - Judiciary	The purpose of this bill is to authorize the Fire Marshal to promulgate a legislative rule relating to standards for the certification and continuing education municipal, county, and













	building code officials, building code inspectors, and plans examiners				other public sector building code officials, building code inspectors, and plans examiners. <a>Edit <a>Delete
SB 175 (None)   	State Tax Department rule relating to downstream natural gas manufacturing investment tax credit	SI HB2420	02/11/21 - To Senate Judiciary	Senate Ref. 1 - Judiciary	<a>Add a note.
SB 240 (None)   	Allowing workers' compensation benefits for first responders diagnosed with PTSD	SI HB2051	02/11/21 - To Senate Banking and Insurance	Senate Ref. 1 - Banking and Insurance Senate Ref. 2 - Finance	The purpose of this bill is to provide workers' compensation to first responders diagnosed with Post-Traumatic Stress Disorder by a psychiatrist from an event that occurred during their employment. <a>Edit <a>Delete
SB 262 (None)   	Requiring certain municipalities pay for incarceration of inmates		02/12/21 - To Senate Government Organization	Senate Ref. 1 - Government Organization	The purpose of this bill is to require certain municipalities to pay certain costs for the jailing of an inmate arrested by their police. <a>Edit <a>Delete
SB 280 (None)   	Relating to e-commerce modernization		02/18/21 - To Senate On 1st reading 1st Reading	Senate Ref. 1 - Government Organization	(e) On or before March 1, 2023, all political subdivisions shall offer a system, with an online presence for acceptance of payments, that will allow persons to submit payments to political subdivisions electronically. Payments that shall be accepted through the required system shall include, but not be limited to, payments or fees for services provided by the political subdivision or any fee, fine, penalty, or other monetary payment collected by the political subdivision. Upon written request from a political subdivision, the State Treasurer may provide services of his or her office to a political subdivision and charge for the services. <a>Edit <a>Delete

SB 282 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> Limiting increase in assessed tax valuation for improvements to residential real property		02/13/21 - To Senate Finance	Senate Ref. 1 - Finance	The purpose of this bill is to limit the increase in valuation of residential property when improvements are made to such property. <a>Edit <a>Delete
HB 2015 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> Requiring rules of local boards of health to be approved by the county commission except in cases of a public health emergency		02/18/21 - To House On 2nd reading, Calendar 2nd Reading	House Ref. 1 - Health and Human Resources	The purpose of this bill is to require approval by the county commission or appointing entity of local board of health rules, except in certain cases of emergency. <a>Edit <a>Delete
HB 2023 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> Relating generally to West Virginia Appellate Reorganization Act of 2021	SI SB275	02/12/21 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	The purpose of this bill is to create an Intermediate Court of Appeals. <a>Edit <a>Delete
HB 2034 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> Establishing a comprehensive addiction recovery center certification and grant program in this state		02/10/21 - To House Health and Human Resources	House Ref. 1 - Health and Human Resources House Ref. 2 - Finance	The purpose of this bill is to establish a comprehensive addiction recovery center certification and grant program. <a>Edit <a>Delete
HB 2041 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> County Budget Flexibility Act		02/10/21 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	The purpose of this bill is to create the County Budget Flexibility Act. The bill permits a county to hold over unspent budgetary funds or excess revenue for future uses. The bill requires those funds be deposited in a county's Future Needs Fund. The bill authorizes the use of those funds for future or unexpected needs. The bill makes findings and sets forth an intent. <a>Edit <a>Delete
HB 2044 <div> <div></div> <div></div> <div></div> </div>	<u>(None)</u> Establishing Next Generation 911 services in this state		02/10/21 - To House Technology and Infrastructure	House Ref. 1 - Technology and Infrastructure House Ref. 2 - Government Organization	The purpose of this bill is to require implementation of next generation 911 phone services. <a>Edit <a>Delete

HB 2046 <div> <div></div> <div></div> <div></div> </div>	(None) West Virginia Emergency Responder Service Tax Credit Act		02/10/21 - To House Fire Departments and Emergency Medical Services	House Ref. 1 - Fire Departments and Emergency Medical Services House Ref. 2 - Finance	The purpose of this bill is to create three refundable tax credits for volunteer fire fighters, emergency medical responders, emergency medical services practitioners, and ambulance drivers for qualifying service, training expenses, and mileage expenses. Edit Delete
HB 2048 <div> <div></div> <div></div> <div></div> </div>	(None) Relating to Deputy Sheriff Retirement System		02/10/21 - To House Pensions and Retirement	House Ref. 1 - Pensions and Retirement House Ref. 2 - Finance	The purpose of this bill is to permit partially disabled deputy sheriffs to engage in other gainful employment without limiting earnings. Edit Delete
HB 2051 <div> <div></div> <div></div> <div></div> </div>	(None) Allowing workers' compensation benefits for first responders diagnosed with post- traumatic stress disorder	SI SB18 SI SB240 SI SB25	02/10/21 - To House Fire Departments and Emergency Medical Services	House Ref. 1 - Fire Departments and Emergency Medical Services House Ref. 2 - Judiciary House Ref. 3 - Political Subdivisions	The purpose of this bill is to provide workers' compensation to first responders diagnosed with post-traumatic stress disorder by a psychiatrist from an event that occurred during their employment. Edit Delete
HB 2091 <div> <div></div> <div></div> <div></div> </div>	(None) Creating a process by which voters may recall a county ordinance in a special election		02/10/21 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Judiciary	The purpose of this bill is to create a process by which voters may recall a county ordinance in a special election. Edit Delete
HB 2095 <div> <div></div> <div></div> <div></div> </div>	(None) Providing increased protections for the welfare of domestic animals		02/10/21 - To House Judiciary	House Ref. 1 - Judiciary	The purpose of this bill is to provide increased protections for the welfare of domestic animals in the care of animal shelters, breeders, and private individuals. Edit Delete
HB 2131 <div> <div></div> <div></div> <div></div> </div>	(None) Clarifying that the county or regional solid waste authority that may impose and collect an additional solid waste		02/10/21 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Government	The purpose of this bill is to clarify that the county or regional solid waste authority that may impose and collect an additional solid waste assessment fee is the

	assessment fee is the county or region where the waste originates			Organization	county or region where the waste originates. Edit Delete
HB 2136 (None) 	Granting counties and municipalities a portion of the net terminal income from racetrack video lottery		02/10/21 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	The purpose of this bill is to eliminate the discriminatory trigger mechanism “in excess of” language that prevents municipalities within counties that house a thoroughbred racetrack from equally participating in their net terminal income distributions because the “in excess of” language creates an unattainable trigger that has not been reached in years. Consequently, municipalities have suffered as a result. The bill grants counties and municipalities a portion of the net terminal income from racetrack video lottery. Edit Delete
HB 2164 (None) 	Requiring certain municipalities to pay for the incarceration of inmates	SI HB2563	02/10/21 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	The purpose of this bill is to require certain municipalities to pay certain costs for the jailing of an inmate arrested by their police. Edit Delete
HB 2167 (None) 	Exempting motor vehicles from personal property tax		02/10/21 - To House Technology and Infrastructure	House Ref. 1 - Technology and Infrastructure House Ref. 2 - Finance	Add a note.
HB 2180 (None) 	Prohibiting the regulation and licensing of occupations by local government	SI HB2319	02/10/21 - To House Government Organization	House Ref. 1 - Government Organization	Add a note.
HB 2209 (None) 	Exempting firefighters and volunteer firefighters from payment of income and real and personal property taxes		02/10/21 - To House Fire Departments and Emergency Medical Services	House Ref. 1 - Fire Departments and Emergency Medical Services House Ref. 2 -	The purpose of this bill is to exempt firefighters, who are full-time employees of a local fire department, and volunteer firefighters who have successfully completed training requirements under §29-3-6 of this code and who are employed by a volunteer

				Finance	fire department, from payment of income and real and personal property taxes. <a>Edit <a>Delete
HB 2211 (None)   	Abolishing the Personal Income Tax		02/10/21 - To House Finance	House Ref. 1 - Finance	The purpose of this bill is to abolish the personal income tax. <a>Edit <a>Delete
HB 2273 (None)   	Dividing pretrial detention jail costs between arresting authorities		02/10/21 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance) Notwithstanding any other provision of this code to the contrary, Class I and Class II municipal corporations, as defined in §8-1-3 of this code, shall reimburse the Division of Administrative Services for the pretrial detention costs of housing persons arrested by law-enforcement agents of those municipalities: Provided, That a specific state agency shall reimburse the division for the pretrial detention costs of housing persons arrested by that agency, and county commission corporations shall reimburse the division for the pretrial detention costs of housing persons arrested by the county's sheriff's department: Provided, however, That in the instance a person is arrested by members of a multi-jurisdictional or interagency task force, the pretrial detention costs of the arrestee shall be borne by the entities comprising the task force pursuant to a memorandum of understanding or other agreement. <a>Edit <a>Delete
HB 2280 (None)   	Involuntary drug and alcohol treatment		02/10/21 - To House Health and Human Resources	House Ref. 1 - Health and Human Resources House Ref. 2 - Judiciary	The purpose of this bill provides for the involuntary treatment for alcohol or another drug abuse. The bill sets forth patients' rights. The bill establishes criteria for involuntary treatment. The bill provides for petitions for 60-day and 360-day involuntary treatment. The bill establishes financial responsibility. The bill establishes proceedings for

					<p>involuntary treatment. The bill authorizes a 72-hour emergency involuntary treatment. The bill sets forth a procedure for failure to attend examination. The bill provides for transportation to a hospital or other facility. The bill provides for minors.</p> <p>Edit Delete</p>
<p>HB (None) 2307</p> <p>  </p>	Relating to vacancies in the office of county commissioner		02/12/21 - To House Judiciary	House Ref. 1 - Judiciary	<p>The purpose of this bill is to require vacancies in the office of county commissioner be made from a list of three legally qualified persons submitted by the appropriate party's county executive committee.</p> <p>Edit Delete</p>
<p>HB (None) 2369</p> <p>  </p>	Provide that you can make monthly payments on property taxes		02/13/21 - To House Finance	House Ref. 1 - Finance	<p>The purpose of this bill is to allow for monthly payments on current real and personal property taxes.</p> <p>Edit Delete</p>
<p>HB (None) 2501</p> <p>  </p>	Suspend School Aid Funding Formula implementation until budget year 2024		02/15/21 - To House Education	House Ref. 1 - Education House Ref. 2 - Finance	<p>The purpose of this bill is to suspend the implementation of the school aid formula for school district budgeting until the year 2025; requiring that all school systems be funded at the level established by the 2020-2021 budget during this period; and providing that the Legislature develop a new funding formula to be implemented for the budget year 2024-2025.</p> <p>Edit Delete</p>
<p>HB (None) 2563</p> <p>  </p>	Requiring certain municipalities to pay for the incarceration of inmates	<p>SI HB2164</p>	02/16/21 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	<p>The purpose of this bill is to require certain municipalities to pay certain costs for the jailing of an inmate arrested by their police.</p> <p>Edit Delete</p>
<p>HB (None) 2581</p>	Providing for the valuation of natural resources property and an alternate method of		02/17/21 - To House Energy	House Ref. 1 - Energy House Ref. 2 -	<p>The purpose of this bill to change the valuation, assessment, review, and appellate rights of property owners regarding</p>

	<p>appeal of proposed valuation of natural resources property, and to provide a criminal penalty for unauthorized disclosure</p>		<p>and Manufacturing</p>	<p>Finance</p>	<p>valuation, classification, and taxability of real estate and personal property taxation; provide revised methodology to value oil and natural gas properties by Tax Commissioner; provide for the confidentiality of financial information disclosed to the Tax Commissioner; allow for the publication, release, or other disclosure of nonproprietary financial information by the Joint Committee on Government and Finance; provide for the confidentiality of annual industry operating expenses survey information used for property tax purposes; define a criminal penalty for the unauthorized disclosure of financial information; provide that residential property owners may not be required to furnish a formal appraisal to establish the value of their primary residence; provide that an assessor's review is to be an informal process and define the standard of proof which a taxpayer must meet to be no greater than a preponderance of the evidence; expand the jurisdiction of the Office of Tax Appeals to include property tax valuation, classification, and taxability; provide that if an assessor rejects a petition, the petitioner may appeal to the county Board of Equalization and Review or the Office of Tax Appeals; allow for certain appeals from decisions of the Tax Commissioner and Board of Equalization and Review to the Office of Tax Appeals; repeal and eliminate the Board of Assessment Appeals; provide for an increase in the number of administrative law judges and staff attorneys within the Office of Tax Appeals; provide an effective dates; and make technical changes.</p> <p>Edit Delete</p>
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