

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2024

**FISCAL
NOTE**

2015 Carryover

(BY DELEGATE GUTHRIE)

[Introduced January 13, 2016; referred to the
Committee on Veterans' Affairs and Homeland
Security then Finance.]

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1 A BILL to amend and reenact §15-5-20 of the Code of West Virginia, 1931, as amended, relating
2 to requiring preplanning, preparing and provisioning of public facilities for use as shelters
3 for elderly and disabled during emergency situations when utilities and public services are
4 not available for extended periods.

Be it enacted by the Legislature of West Virginia:

1 That §15-5-20 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT.**

§15-5-20. Disaster prevention.

1 (a) In addition to disaster prevention measures as included in the state, local, regional and
2 interjurisdictional disaster plans, the Governor shall consider on a continuing basis steps that
3 could be taken to prevent or reduce the harmful consequences of disasters. At his or her
4 direction, and pursuant to any other authority and competence they have, state agencies,
5 including, but not limited to, those charged with responsibilities in connection with floodplain
6 management, stream encroachment and flow regulation, weather modification, fire prevention
7 and control, air quality, public works, land use and land-use planning and construction standards,
8 shall make studies of disaster prevention-related matters. The Governor, from time to time, shall
9 make such recommendation to the Legislature, political subdivisions and other appropriate public
10 and private entities as may facilitate measures for prevention or reduction of the harmful
11 consequences of disasters.

12 (b) At the request of and in conjunction with the Office of Emergency Services, the
13 divisions of energy, natural resources and highways and any state department insured by the
14 Board of Risk and Insurance Management shall keep land use and construction of structures and

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15 other facilities under continuing study and identify areas which are particularly susceptible to
16 severe land shifting, subsidence, flooding or other catastrophic occurrences. Such studies shall
17 concentrate on means of reducing or avoiding the dangers caused by such occurrences and the
18 consequences thereof.

19 (c) The Governor, through the Director of the Division of Homeland Security and
20 Emergency Management, shall provide state-wide advance planning, preparation and outfitting
21 of public facilities for immediate use as shelter for elderly and disabled persons during emergency
22 situations when utilities and public services are not available for extended periods.

NOTE: The purpose of this bill is to require advance planning for, and preparation and provisioning of emergency shelters for elderly or disabled persons for immediate use when certain emergencies occur.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.