

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Committee Substitute**

**for**

**House Bill 4306**

BY DELEGATES SUMMERS, ROHRBACH, BARRETT AND

BLAIR

[Originating in the House Committee of Health and

Human Resources on February 8, 2018.]



1 A BILL to amend and reenact §16-2-5 of the Code of West Virginia, 1931, as amended, relating  
2 to permitting local boards of health to combine.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. LOCAL BOARDS OF HEALTH.**

**§16-2-5. Authority to create, establish and maintain combined local boards of health;  
service area.**

1 Any two or more counties or any county or counties and one or more municipalities within  
2 or partially within the county or counties may combine to create, establish and maintain a  
3 combined local board of health organized pursuant to and with the powers and duties prescribed  
4 by this article. ~~The plan of combination must be approved by the commissioner~~ The combination  
5 shall be approved by the appointing authorities. The service area of any combined local board of  
6 health is the combined territorial limits of the participating municipality or municipalities and county  
7 or counties: *Provided*, That if all or a portion of a participating municipality is located in a  
8 nonparticipating county, the service area of the combined local board of health is limited to the  
9 territorial limits of the municipality and does not extend to or include any area of the  
10 nonparticipating county outside of the municipal limits: *Provided, however*, That the service area  
11 of a combined local board does not extend to or include any area within the service area of a  
12 municipal board of health maintaining a separate full-time municipal health department under the  
13 supervision of a municipal local health officer.

NOTE: The purpose of this bill is to permit local boards of health to combine.

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