WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4306

BY DELEGATES SUMMERS, ROHRBACH, BARRETT AND

BLAIR

[Introduced January 26, 2018; Referred

to the Committee on Political Subdivisions then

Health and Human Resources.]

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 without approval from the Commissioner

3   of the Bureau for Public Health.

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 service area

5   of any combined local board of health is the combined territorial limits of the participating

6   municipality or municipalities and county or counties: *Provided,* That if all or a portion of a

7   participating municipality is located in a nonparticipating county, the service area of the combined

8   local board of health is limited to the territorial limits of the municipality and does not extend to or

9   include any area of the nonparticipating county outside of the municipal limits: *Provided, however,*

10   That the service area of a combined local board does not extend to or include any area within the

11   service area of a municipal board of health maintaining a separate full-time municipal health

12   department under the supervision of a municipal local health officer.

NOTE: The purpose of this bill is to permit local boards of health to combine without
approval of the Commissioner for the Bureau for Public Health.

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