

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2326

BY DELEGATES SUMMERS AND ROHRBACH

[Introduced January 11, 2019; 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.