

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3254

FISCAL
NOTE

By Delegates Street, Pinson, Butler, Keaton, Holstein,

Forsht, Gearheart, Crouse, Howell, Hott, and

Householder

[Introduced February 03, 2023; Referred to the

Committee on Veterans' Affairs and Homeland

Security then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §15-1B-28, relating to establishing a State Military Funeral Honor Guard in
3 honor of Hershel "Woody" Williams, known as the Hershel "Woody" Williams State Military
4 Funeral Honor Guard to render professional military funeral honors, in accordance with
5 service tradition, to West Virginia eligible veterans when requested by an authorized family
6 member.

Be it enacted by the Legislature of West Virginia:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 1B. NATIONAL GUARD.

§15-1B-28. Hershel "Woody" Williams State Military Funeral Honor Guard.

1 (a) Legislative findings. - The West Virginia Legislature recognizes the many achievements
2 that the great West Virginian, U.S.M.C. Hershel "Woody" Williams achieved for the State of West
3 Virginia. As a member of the United States Marine Corps, he served in the Battle of Iwo Jima. His
4 actions in the battle contributed significantly to its outcome and saved many American lives. As a
5 result of the heroism Williams displayed, he received the Congressional Medal of Honor from
6 President Harry Truman on October 5, 1945. Williams materially improved the lives of countless
7 Veterans while working as a Veterans Service Officer for the federal VA for 33 years, after which he
8 focused on improving the circumstances of homeless Veterans as a primary advocate for and first
9 director of the West Virginia Department of Veterans Assistance Barboursville Veterans Home, a
10 VA-supported domiciliary. In the decades following the war, Williams used his platform to lead the
11 charge in an effort to honor America's Gold Star servicemen and women – those who paid the
12 ultimate price by giving their life in defense of America – as well as the families of the fallen.

13 (b) Establishment of the program. - The Adjutant General is hereby authorized to establish
14 a Military Funeral Honor Guard program to render professional military funeral honors, in
15 accordance with service tradition, to West Virginia eligible veterans when requested by an

16 authorized family member. The name of the program established by this section shall be known
17 as the Hershel "Woody" Williams State Military Funeral Honor Guard.

18 (c) The Adjutant General is authorized to procure any uniforms, arms, equipment, vehicles,
19 and supplies necessary in furtherance of this program. The uniforms, arms, and equipment for
20 performance duties shall be those prescribed by applicable federal laws and regulations.

21 (d) A special revenue account known as the "Hershel "Woody" Williams State Military
22 Funeral Honor Guard Fund" is hereby established in the state treasury. The purpose of the fund is
23 to make moneys available for the expenditure necessary to administer the program established in
24 this section. The Adjutant General shall administer the fund.

25 (e) Criteria. - An honor guard detail for the burial of an eligible veteran shall consist of not
26 less than two members of the West Virginia National Guard. The honor detail will, at a minimum,
27 perform a ceremony that includes the folding and presenting of the American flag to the next of kin
28 and the playing of Taps. Taps will be played by a bugler, if available, or by electronic recording.
29 Proof of military service must be provided in the form of a DD-214, NGB 22 or other similar
30 Statement of Service.

31 (f) Effective date. - This section shall take effect on July 1, 2023, with the first funeral
32 occurring after January 1, 2024.

NOTE: The purpose of this bill is to establish a State Military Funeral Honor Guard in honor of Hershel "Woody" Williams, known as the Hershel "Woody" Williams State Military Funeral Honor Guard to render professional military funeral honors.

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