

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Originating

House Bill 3561

By Delegates Phillips, McGeehan, Chiarelli, Adkins
and Longanacre

[Originating in the Committee on Government
Organization; Reported on February 25, 2023]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §4-16-1, §4-16-2, §4-16-3, §4-16-4, §4-16-5, §4-16-6, and §4-16-7, relating
3 generally to creating the Joint Legislative Committee on Civic Life; creating the Institute for
4 Civic Life; appointment of Board of Directors; filling of vacancies on Board of Directors;
5 election of Board of Directors officers; and powers and duties of Board of Directors
6 generally.

Be it enacted by the Legislature of West Virginia:

1 (a) This Act may be cited as the "Institute for Civic Life Act." The purpose of this Act is to
2 establish the Institute for Civic Life (herein referred to as the "Institute" for purposes of this Article),
3 to allocate state funds to non-profit organizations to promote and support traditional cultural values
4 for Civic life in local communities, with a particular focus on supporting existent or emerging
5 organizations that advance classical virtue ethics in local communities, including, but not limited to
6 those activities oriented towards the Good, the True, and the Beautiful. The Institute will give
7 priority to non-profit organizations that fall into one of the following three categories:

8 (1) Non-profits which preserve or promote traditional cultural values for civic life in local
9 communities.

10 (2) Non-profits which promote family growth, maintenance, and self-sufficiency.

11 (3) Non-profits which foster local self-governance for civic engagement through the
12 creation of new fraternal organizations.

13 (b) All funding for the Institute will come from the State of West Virginia, and the Institute
14 will be governed by a Board of Directors. The Board will be responsible for the management and
15 operation of the Institute, including the allocation of state funds to eligible non-profit organizations.

§4-16-2. Establishing a Joint Legislative Committee on Civic Life.

1 (a) The President of the Senate and the Speaker of the House of Delegates shall each
2 appoint three members of their respective houses, at least one of whom shall be members of the
3 minority party, to serve an interim committee charged with reviewing activities of the Institute for

4 Civic Life. The President and the Speaker shall each designate a Chair from among the three
5 committee members of their respective houses. This committee shall be known as the “Joint
6 Legislative Committee on Civic Life” (herein known as the “Committee” for purposes of this Article)
7 and shall study all activities relating to promotion and support of cultural values for Civic life in local
8 communities. The Committee shall make recommendations to the Joint Committee on
9 Government and Finance for funding of the Institute for Civic Life.

§4-16-3. Establishment of the Institute for Civic Life.

1 (a) There is hereby established the Institute for Civic Life as an agency of the State of West
2 Virginia. The Institute shall be a non-profit agency, not incorporated as a separate entity, and shall
3 have the power to allocate state funds to non-profit organizations that promote and support
4 cultural values for civic life in local communities, with a particular focus on supporting existent or
5 emerging organizations. The Institute shall operate in compliance with all applicable state and
6 federal laws and regulations. The Institute shall be governed by a Board of Directors (hereinafter
7 referred to as the "Board" and each member referred as “Director”), is appointed in accordance
8 with this Section, and will have powers and duties as set forth in this Act.

9 (b) The Board shall be made up of no more than seven (7) West Virginia residents who
10 have distinguished themselves in the fields of philosophy, ethics, or charitable service. The
11 inaugural Board will be appointed no later than December 31, 2023. The Board will be appointed
12 in the following manner:

13 (1) Governor shall appoint one (1) member.

14 (2) The State Senate President shall appoint three (3) members.

15 (3) The Speaker of House of Delegates shall appoint three (3) members.

§4-16-4. Board of Directors, Powers, and Duties.

1 (a) The term of office for Board members shall be three (3) years, with the possibility of
2 reappointment for additional terms. Any vacancy occurring in the Board shall be filled by

2 appointment in the same manner as provided for the replaced Director's initial appointment. The
3 new Director will serve out the remainder of the replaced Director's term.

4 (b) The Board annually shall elect from their number a chairman, vice chairman, and
5 secretary.

6 (c) The Board shall have the power to allocate state funds to non-profit organizations that
7 promote and support cultural values for civic life in local communities, and to establish and
8 maintain policies and procedures to ensure the transparency and accountability of the Institute's
9 operations.

10 (d) The Board shall have the power to establish subcommittees or advisory groups as
11 necessary to carry out the functions of the Institute.

12 (e) The Board shall hire an Executive Director and any other staff as it deems necessary to
13 carry out the functions of the Institute, and to establish personnel policies and procedures
14 consistent with the requirements of the laws of West Virginia.

15 (f) The Board shall meet at least once each calendar quarter and shall keep accurate
16 records of its proceedings.

17 (g) The Board shall adopt bylaws, policies, and procedures necessary to carry out the
18 functions of the Institute.

19 (h) Board members shall serve without compensation but shall be reimbursed for actual
20 and necessary expenses incurred in the performance of their duties.

21 (i) The Board shall report to the Committee on a regular basis concerning the activities and
22 operations of the Institute.

23 (j) The Board shall be accountable primarily to the Committee but shall also cooperate with
24 and provide information to other appropriate state agencies and officials.

§4-16-5. Annual Reports.

1 (a) The Institute shall prepare and submit an annual report to the Committee, detailing the
2 Institute's activities and financial statements for the previous fiscal year. The report shall include a

3 summary of the grant funds allocated by the Institute and the performance of the organizations
4 that received such funds. The Institute shall submit the annual report to the Committee, who shall
5 cause the report to be printed and made available to the members of the Legislature. The annual
6 report shall be due no later than sixty (60) days after the end of the fiscal year. The Institute shall
7 maintain accurate records of all funds received and allocated and shall make such records
8 available for inspection by appropriate state agencies and officials.

§4-16-6. Funding.

1 (a) The Institute shall be funded entirely by the state of West Virginia. The Legislature shall
2 appropriate funds for the Institute on an annual basis, in accordance with the West Virginia budget
3 process. The funds allocated to the Institute shall be used exclusively for the purposes set forth in
4 this Act. The Board shall allocate the funds to eligible organizations in a manner consistent with
5 the guidelines and criteria established by the Board. The Legislature may appropriate additional
6 funds to the Institute at any time, subject to the availability of funds and the requirements of the
7 West Virginia budget process. The Institute shall use all funds received for the purposes set forth
8 in this Act and shall be subject to an audit by the State Auditor's Office on an annual basis.

§4-16-7. Effective Date.

1 (a) This Act shall take effect on the date of its enactment.

NOTE: The purpose of this bill is to establish the function of the Institute for Civic Life for promotion of cultural values for Civic life in local communities and the oversight thereof.

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