

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 298**

By Senators Trump, Woodrum, Plymale, and Deeds

[Originating in the Committee on The Judiciary;

reported on January 24, 2023]

1 A BILL to amend and reenact §15-5-9 of the Code of West Virginia, 1931, as amended, relating to  
2 clarifying that mutual aid agreements can be entered into by local emergency services or  
3 organizations for reciprocal aid in bordering counties of other states for day-to-day support  
4 for fire and emergency medical service calls.

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

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY  
MANAGEMENT.**

**§15-5-9. Mutual aid agreements.**

1 (a) The director of each local organization for emergency services may, in collaborating  
2 with other public and private agencies within this state, develop or cause to be developed mutual  
3 aid agreements for reciprocal aid and assistance in case of disaster too great to be dealt with  
4 unassisted. ~~Such~~ The agreements shall be made in conformity with the state plan and program for  
5 emergency services and, in time of emergency, ~~it shall be the duty of each local organization to~~  
6 shall render assistance in accordance therewith. with the state plan or the agreements.

7 (b) The director of each local organization may, subject to the approval of the Governor,  
8 enter into mutual aid agreements with emergency service and civil defense agencies or  
9 organizations in other states for reciprocal aid and assistance in case of disaster too great to be  
10 dealt with unassisted.

11 c) Notwithstanding the provisions of subsection (b) of this section, the director of each local  
12 organization may, regardless of the existence of a federally declared emergency or a state  
13 emergency declared by the Governor, or the Legislature, enter into mutual aid agreements with  
14 emergency services, civil defense agencies, and organizations of bordering counties in  
15 contiguous states for day-to-day mutual aid support for fire and emergency medical services.