

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4341

FISCAL  
NOTE

By Delegate Street, Crouse and Heckert

[Introduced January 10, 2024; 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:*

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

14 (b) Establishment of the program. — The Adjutant General is hereby authorized to  
15 establish a Military Funeral Honor Guard program to render professional military funeral honors, in

16 accordance with service tradition, to West Virginia eligible veterans when requested by an  
17 authorized family member. The name of the program established by this section shall be known  
18 as the Hershel "Woody" Williams State Military Funeral Honor Guard.

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

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

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

32 (f) Effective date. — This section shall take effect on July 1, 2024, with the first funeral  
33 occurring after January 1, 2025.

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.