

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4593**

By Delegates Summers, Tully, Hanshaw (Mr.  
Speaker), Pushkin, Hamilton, Petitto, Shamblin,  
Sheedy, Miller, Rohrbach, and Griffith

[Introduced January 10, 2024; Referred  
to the Committee on Health and Human Resources  
then Judiciary ]

1 A BILL to amend and reenact §5-31-3 of the Code of West Virginia, 1931, as amended, relating  
2 requiring certain provisions within the by-laws of the foundation.

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

**ARTICLE 31. THE WEST VIRGINIA FIRST FOUNDATION.**

**§5-31-3. West Virginia First Foundation.**

1 A private foundation in keeping with the order, known as the West Virginia First  
2 Foundation, that qualifies under Internal Revenue Code Section 501(c)(3), and created by the  
3 parties to the memorandum of understanding is recognized. The foundation shall have a  
4 governing board, an expert panel, and other additional and regional entities necessary for the  
5 purpose of receiving and disbursing opioid funds and other purposes set forth in the order and the  
6 memorandum of understanding. The operation of the West Virginia First Foundation shall be  
7 governed by its articles of incorporation and any by-laws adopted consistent with the provisions of  
8 the memorandum of understanding and the order. The by-laws shall include a provision that the  
9 foundation shall comply with the requirements of the Open Governmental Proceedings Act set  
10 forth in §6-9A-1 et seq. of this code and the Freedom of Information Act set forth in §29B-1-1 et  
11 seq. of this code.

NOTE: The purpose of this bill is to require the West Virginia First Foundation to comply with the Open Governmental Proceedings Act and the Freedom of Information Act.

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