

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4847

By Delegates Hillenbrand, Burkhammer, McGeehan,
C.Pritt, Phillips, Brooks, Shamblin, Thorne, Hanshaw
(Mr.Speaker), and Rohrbach

[Introduced January 17, 2024; Referred to the
Committee on Education then the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §18-34-1, §18-34-2, §18-34-3, and §18-34-4, all relating to defining patriotic
 3 youth group organizations, public school access for patriotic youth group organizations,
 4 and permitting schools to perform background checks on the leaders of the groups that
 5 apply to present information at the schools.

Be it enacted by the Legislature of West Virginia:

ARTICLE 34. PATRIOTIC YOUTH GROUP ORGANIZATIONS.

§18-34-1. Definitions.

1 For the purposes of this chapter:
 2 (a) "Organization" means any youth organization listed in Title 36 of the United States
 3 Code that has an educational purpose and promotes patriotism and civic involvement.
 4 (b) Public School means the following:
 5 (1) A school maintained by a County Board of Education; or
 6 (2) A charter school.

§18-34-2. Dissemination of organizational information at public schools.

1 An organization may request that a public school allow representatives of the organization
 2 to provide oral, written, or oral and written information regarding the organization, including
 3 information regarding how the organization furthers the educational interests and civic
 4 involvement of students consistent with good citizenship and moral instruction, to students of the
 5 public school on school property.

§18-34-3. Appearance at public schools upon request of organization.

1 Upon request by an organization under §18-34-2 of this code, a public school shall provide
 2 at least one time each school year, a day and time, which shall be during the school day as
 3 approved by the public school, for the representatives of the organization to provide information to
 4 students on school property as described in §18-34-2 of this code.

§18-34-4. Background checks — Refusal of organizational representative convicted of

felony.

1 (a) A public school shall conduct an expanded criminal history check of a representative of
2 an organization before the representative may provide information to students at a public school
3 under §18-34-3 of this code. The representative may be required to provide a written consent for
4 the public school to conduct the expanded criminal history check. The representative of the
5 organization is responsible for all costs associated with obtaining the expanded criminal history
6 check.

7 (b) A public school may refuse to allow a representative to provide information as
8 described in this article if the representative has been convicted of a felony or misdemeanor listed
9 in Chapter 60A or Chapter 61 of this code.

NOTE: The purpose of this bill is to provide public school access for patriotic youth groups.

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