

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5615

By Delegate Ridenour

[Introduced February 12, 2024; Referred to the
Committee on Government Organization then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §5-32-1, all relating to prohibiting state agencies from contracting with entities
 3 that engage in unlawful activities.

Be it enacted by the Legislature of West Virginia:

ARTICLE 32. PROHIBITING CONTRACTS WITH ENTITIES THAT ENGAGE IN UNLAWFUL ACTIVITIES.

§5-32-1. Prohibition on state contracts and affiliations with entities that engage in unlawful activities; findings; prohibition; existing contracts; enforcement.

1 (a) Findings. The Legislature finds that:

2 (1) The Constitution of West Virginia states "The Constitution of the United States of
 3 America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the
 4 land";

5 (2) Actions counter to the Constitution of the United States of America and the Constitution
 6 of West Virginia are repugnant and will not be tolerated within the government of West Virginia;

7 (3) Unrestricted abortion is abhorrent and unacceptable to civilized peoples and states.

8 (4) Genocide, terrorism, rape, and racism are illegal and must be eradicated;

9 (5) The grooming of children to facilitate their mutilation via surgery or chemical means is
 10 abhorrent and unacceptable to civilized peoples and states; and

11 (6) Corporations, companies and other entities that use "environmental, social and
 12 governance' (ESG) agendas to further their activities are inimical to the people of West Virginia.

13 (b) Prohibited contracts and affiliations. The government of the state of West Virginia, as
 14 well as any entities that receive any funding by the state of West Virginia, will not undertake nor
 15 maintain any contracts or affiliations with, or employment of, any corporations, companies, or
 16 other entities, including educational institutions or individuals, which have:

17 (1) Conducted actions or efforts to infringe on the Constitutional rights of Americans,
18 including efforts coordinated with or voluntarily in support of the federal government, or any state
19 or local governments;

20 (2) Conducted actions or efforts designed to undermine the Constitution of West Virginia or
21 the Constitution of the United States of America;

22 (3) Supported abortion, genocide, terrorism, rape, or racism;

23 (4) Supported use of surgery or chemical means to attempt to alter the sex or sexual
24 appearance of anyone under the age of 18; and

25 (5) Use or incorporate "environmental, social and governance" (ESG) agendas as part of
26 any financial activities or investments.

27 (c) Existing contracts. Contracts currently in force will be terminated at the earliest
28 opportunity, ensuring services are maintained by contracting with entities which do not violate the
29 above.

30 (d) Enforcement. (1) Entities funded by the state of West Virginia in any capacity that fail
31 to, or refuse to, enforce the measures above will receive a termination of any funding, and will be
32 required to reimburse the state of West Virginia for all funds provided during the fiscal year.

33 (2) West Virginia government employees that fail to or refuse to terminate contracts in
34 accordance with the above will be subject to termination for cause.

35 (3) The Secretary of State, in coordination with the Governor, Attorney General, State
36 Treasurer, and State Auditor, will maintain a list of corporations, companies, and other entities,
37 including individuals, that have been identified as having conducted the activities in this section.
38 The Secretary of State will annually present the list, or any updates, to the Joint Committee on
39 Government and Finance at the final interim session for review and comment before the next
40 legislative session begins.

41 (4) The Secretary of State, Attorney General, State Treasurer, and State Auditor will
42 coordinate with their counterparts in the several states to determine if they maintain and will share
43 similar lists of entities conducting the activities in this section.

NOTE: The purpose of this bill is to prohibit the state and its agencies from contracting with entities that engage in unlawful activities.

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