WEST virginia legislature

2024 regular session

Engrossed

Committee Substitute

for

Senate Bill 225

By Senator Tarr

[Originating in the Committee on Finance; reported February 21, 2024]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-3-21, relating to establishing the revocation of authority for spending by an agency in support of a challenge to West Virginia law; and providing for exceptions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. LIMITATIONS ON AGENCY SPENDING.

§12-3-21. Limitation on agencies' use of funding.

Notwithstanding any provision to the contrary, there is no spending authority for any political subdivision or state agency for the purposes of challenging a West Virginia state law: *Provided,* That the provisions of this section shall not apply to the Attorney General of West Virginia who may, from time to time, have reason to challenge any and all laws of the State of West Virginia: *Provided, however,* That the provisions of this section shall not apply to the Governor, Secretary of State, State Treasurer, State Auditor, the Commissioner of Agriculture, or other constitutionally elected officers when challenging a West Virginia state law directly related to the constitutional duties and functions of their respective offices.