

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **Senate Bill 771**

By Senators Woodrum and Plymale

[Introduced February 13, 2024; referred  
to the Committee on Finance]

1 A BILL to amend and reenact §7-5B-1 of the Code of West Virginia, 1931, as amended, relating to  
2 distribution of funds to counties with excess levy or dedicated fee.

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

**ARTICLE 5B. FUNDS FOR FIRE PROTECTION.**

**§7-5B-1. Funds for use of fire protection in counties with excess levy or dedicated fee.**

1 (a) There is hereby created in the State Treasury a special revenue fund designated and  
2 known as the County Fire Protection Fund which is an interest-and-earnings accumulating  
3 account. The fund shall receive legislative appropriations, grants, gifts, devises, and donations  
4 from any public or private source. All interest and other returns derived from the deposit and  
5 investment of moneys in the County Fire Protection Fund shall be credited to the fund. Any  
6 balance, including accrued interest and other returns, remaining in the fund at the end of each  
7 fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be  
8 expended as provided in this section. The fund shall be administered by the Secretary of  
9 Homeland Security and distributed by the secretary to certain county commissions and distributed  
10 by those county commissions to fire departments in those counties for the exclusive benefit of fire  
11 protection or emergency services in the county. Distributions from the fund shall be distributed only  
12 to the county commissions of counties which have in place a countywide excess levy, or a  
13 countywide fee, dedicated to fire or emergency services. Among those counties, distributions shall  
14 be in relative proportion to each county's population's percentage of the aggregate population of  
15 ~~all such counties combined~~ on an equal share basis.

16 (b) The Secretary of Homeland Security may propose legislative rules, including  
17 emergency rules, for promulgation in accordance with §29A-3-1 *et seq.* of this code to implement  
18 this section.

NOTE: The purpose of this bill is to distribute funds to volunteer fire departments equally among counties that have a levy in place.

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