

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 265

FISCAL
NOTE

By Senator Smith (Mr. President)

[Introduced February 12, 2025; referred
to the Committee on Health and Human Resources;
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §49-12-1, relating to transferring child welfare enforcement responsibilities to
 3 the West Virginia State Police; transferring employees, funds, and property of the
 4 Department of Health and Human Resources to the West Virginia State Police; providing
 5 that transferred employees remain in the Civil Service System, continue to participate in
 6 Public Employees Retirement System Insurance, and continue to be covered by the Public
 7 Employees Insurance Act; and requiring rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. ENFORCEMENT.

**§49-12-1. Enforcement transferred to West Virginia State Police; employees; funds and
property; rulemaking.**

1 (a) No later than January 1, 2026, all enforcement responsibilities and requirements to
 2 enforce the provisions of this chapter that are currently performed by the Department of Human
 3 Services, and its employees shall be transferred to the West Virginia State Police and its
 4 members.

5 (b) No later than January 1, 2026, all employees of the Department of Human Services
 6 whose responsibility it is to enforce the provisions of this chapter shall be transferred to the West
 7 Virginia State Police and become its employees.

8 (c) No later than January 1, 2026, the funds and all property, both real and personal, used
 9 by the Department of Human Services used to enforce the provisions of this chapter shall be
 10 transferred to the West Virginia State Police.

11 (d) All employees transferred pursuant to (b) of this section shall remain in the Civil Service
 12 System, continue to participate in Public Employees Retirement System Insurance, and continue
 13 to be covered by the Public Employees Insurance Act.

14 (e) The West Virginia State Police and the Department of Human Services shall propose
 15 rules for legislative approval in accordance with §29A-3-1 et seq. to implement this article.

NOTE: The purpose of this bill is to transfer child welfare enforcement responsibilities to the West Virginia State Police. The bill transfers employees, funds and property of the Department of Health and Human Resources to the West Virginia State Police. The bill provides that the transferred employees remain in the Civil Service System, continue to participate in Public Employees Retirement System Insurance and continue to be covered by the Public Employees Insurance Act. The bill requires rulemaking.

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