

WVPEIA

LEGISLATIVE UPDATE

August 10, 2023

Legislature wraps up Special Session/Interim Meetings

The legislature concluded a special session and interim meetings this week and below is a brief wrap-up of key action:

- There were [35 bills that completed legislative action](#) with most of them being supplemental appropriations to various state agencies. Some of the funding for the appropriations comes from the \$1.8 billion surplus the state ended the fiscal year with in June, while other funding involves reappropriating money from other sources. In total more than \$451 million in remaining surplus tax revenue was spent. Among the reappropriation bills: [HB 114](#) which lawmakers say will make sure \$71 million in General Revenue is properly allocated for **PEIA** use. The bill is largely technical because PEIA reported that it is unable to use the current funding in the PEIA Subsidy Account for the intended purpose. This bill transfers the funds to cover increased employer contributions incurred by county boards of education.
- As for interims, most meetings were cancelled due to the special session but the [Legislative Oversight Commission on Health and Human Resources Accountability](#) heard from the 3 incoming secretaries of DHHR and their priorities moving forward. This goes back to [HB 2006](#) from last session – which reorganizes the DHHR into 3 departments: Health; Human Resources and; Health Facilities. The changes go into effect on Jan. 1, 2024.

Among the key bills that passed during the special session:

- **A 6-bill package dealing with the State's Corrections System.** There was a pay raise bill totaling about \$25 million that aims to address worker vacancies in jails and prisons and the high turnover rate of those in the first few years of employment. There were some other bills dealing with corrections including one dealing with **medical care for inmates**. The bill would prohibit state funds for medical procedures in state jails and prisons unless they are medically necessary, as defined by the medical professional treating the patient. The original bill gave the Department of Corrections the authority to decide what procedures are medically necessary. The House amended the bill to say corrections must do this in consultation with a medical professional. Lawmakers approved an amendment that would allow for birth control to be covered by state funds if requested by an inmate. On the same day the Legislature finalized Corrections bills, a

federal lawsuit was filed against the Governor and state leaders in connection with jail conditions. The lawsuit, filed in U.S. District Court in the Southern District of West Virginia this week, said there's \$270 million in deferred maintenance at the jails, prisons and juvenile facilities and the state needs to spend at least \$60 million to fill worker vacancies.

- The legislature also passed a **\$12 million funding bill for volunteer fire departments, which will also benefit EMS**. The bill started out using surplus funds but was switched to a permanent funding source through the counties. The change to a permanent funding source now requires the legislature to find a way to maintain it in the state budget moving forward. The bill passed during the special session will send \$6 million to the Fire Protection Fund to be distributed by county commissions based on population, \$3 million to the County Fire Protection Fund, and \$3 million to the Growth Fire Protection Fund to be distributed at the state level.
- Other bills/topics addressed during the special session:
 - **[SB 1043](#)**—allocates \$5 million to DHHR to comply with a new state law that requires the **state's psychiatric hospitals** to be licensed with OHFLAC.
 - **Car Tax Credit fix** - lawmakers passed a fix connected to the newly created vehicle tax credit. With the fix, taxpayers will not be penalized for paying their vehicle tax in full this fall.
 - **Highway Funding** - A bill was approved to allocate \$150 million to the state Division of Highways, including \$100 million for road maintenance projects and \$50 million for equipment.

If you have any questions about the special session/legislative interim activity, please contact me. Thanks.

Tony