

H. B. 2024

(By Delegate Guthrie)

[Introduced January 14, 2015; referred to the

Committee on Veterans' Affairs and Homeland Security then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §15-5-20 of the Code of West Virginia, 1931, as amended, relating to requiring preplanning, preparing and provisioning of public facilities for use as shelters for elderly and disabled during emergency situations when utilities and public services are not available for extended periods.

Be it enacted by the Legislature of West Virginia:

That §15-5-20 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

§15-5-20. Disaster prevention.

(a) In addition to disaster prevention measures as included in the state, local, regional and interjurisdictional disaster plans, the Governor shall consider on a continuing basis steps that could be taken to prevent or reduce the harmful consequences of disasters. At his or her direction, and

1 pursuant to any other authority and competence they have, state agencies, including, but not limited
2 to, those charged with responsibilities in connection with floodplain management, stream
3 encroachment and flow regulation, weather modification, fire prevention and control, air quality,
4 public works, land use and land-use planning and construction standards, shall make studies of
5 disaster prevention-related matters. The Governor, from time to time, shall make such
6 recommendation to the Legislature, political subdivisions and other appropriate public and private
7 entities as may facilitate measures for prevention or reduction of the harmful consequences of
8 disasters.

9 (b) At the request of and in conjunction with the Office of Emergency Services, the divisions
10 of energy, natural resources and highways and any state department insured by the Board of Risk and
11 Insurance Management shall keep land use and construction of structures and other facilities under
12 continuing study and identify areas which are particularly susceptible to severe land shifting,
13 subsidence, flooding or other catastrophic occurrences. Such studies shall concentrate on means of
14 reducing or avoiding the dangers caused by such occurrences and the consequences thereof.

15 (c) The Governor, through the Director of the Division of Homeland Security and Emergency
16 Management, shall provide state-wide advance planning, preparation and outfitting of public
17 facilities for immediate use as shelter for elderly and disabled persons during emergency situations
18 when utilities and public services are not available for extended periods.

NOTE: The purpose of this bill is to require advance planning for, and preparation and provisioning of emergency shelters for elderly or disabled persons for immediate use when certain emergencies occur.

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