

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2869**

BY DELEGATES J. JEFFRIES, LONGANACRE, KIMES,  
JENNINGS, MCGEEHAN, HORST, MARTIN, AND  
HOUSEHOLDER

[Introduced March 03, 2021; Referred to the  
Committee on the Judiciary]

1 A BILL amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §16-1-22, relating to providing limitations on mask wearing requirements.

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

**ARTICLE 1. STATE PUBLIC HEALTH SYSTEM.**

**§16-1-22. Limitations on requirements to wear a mask.**

1 (a) A state or local elected official, the state, or a political subdivision of the state may not  
2 mandate an individual in this state use a face mask, face shield, or other face covering.

3 (b) The making use of a face mask, shield, or covering a condition for entry, education,  
4 employment, or services is prohibited.

5 (c) Notwithstanding authority granted under other provisions of law to the contrary, if a  
6 state or local elected official, the state, or a political subdivision of the state recommends an  
7 individual in this state use a face mask, shield, or covering, the official or entity shall provide notice  
8 that the recommendation is not mandatory.

NOTE: The purpose of this bill is to provide limitations on mask wearing requirements.

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