

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2090

FISCAL
NOTE

By Delegate Walker

[Introduced January 11, 2023; Referred to the
Committee on Health and Human Resources then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-6-18; and to amend and reenact §17-2A-21 of said code, all relating to
 3 requiring sharps containers in all state buildings and facilities where the public is allowed
 4 and at welcome centers and rest areas on public highways.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 6. STATE BUILDINGS.

§5-6-18. Sharps containers available in government buildings and facilities open to the public.

1 All state-owned buildings and facilities where a public restroom facility is accessible to
 2 members of the public shall have a commercially manufactured leak-proof, puncture resistant
 3 sharps container. If more than one restroom is available to both men and women, only one
 4 container in each men’s and women’s restroom is required if the restroom is clearly marked and
 5 designated as the location for sharps disposal for the public in that building or facility.

CHAPTER 17. ROADS AND HIGHWAYS.

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

~~§17-2A-21. Commissioner authorized to contract for implementation~~ Implementation of litter control programs by the commissioner.

1 (a) In addition to all other powers granted and duties imposed upon the Commissioner, he
 2 or she shall contract with the Secretary of the Department of Environmental Protection and expend
 3 moneys from the highway litter control fund to implement the litter control program and litter control

4 maintenance of the highways pursuant to §22-15A-1 *et seq.* of this code.

5 (b) The Commissioner shall also provide commercially manufactured leak-proof, puncture
6 resistant sharps containers at welcome centers and rest areas along highways in this state, where
7 a public restroom facility is accessible to members of the public. If more than one restroom is
8 available to both men and women, only one container in each men's and women's restroom is
9 required if the restroom is clearly marked and designated as the location for sharps disposal for
10 the public in that building or facility.

NOTE: The purpose of this bill is to require sharps containers be available in all state buildings and facilities, and at welcome centers and rest areas on public highways where public restrooms are available.

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