WEST virginia Legislature

2023 regular session

Introduced

House Bill 2559

By Delegates Crouse, Willis, Mallow, Kump, Forsht, Heckert, Mazzocchi, Miller, Hillenbrand, Kirby, and Chiarelli

[Introduced January 16, 2023; Referred to the Committee on Health and Human Resources]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-1-22; and to amend said code by adding thereto a new section, designated §16-2-18, all relating to prohibiting mask mandates by the State of West Virginia; and prohibiting local health departments in West Virginia from instituting any type of mandatory mask mandate or face covering requirement.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. state public health system.

§16-1-22. Face covering and mask mandates prohibited.

The Governor and the state health officer may not implement any sort of mandatory face covering or mask requirement. The requirements of §61-6-22 of this code relating to the wearing of masks, hoods or face coverings shall still apply.

ARTICLE 2. local boards of health.

§16-2-18. Prohibition on face coverings and mask mandates.

Local boards of health in West Virginia shall not implement any mandatory face covering or mask requirement, in response to the COVID-19 pandemic or otherwise. The requirements of §61-6-22 of this code relating to the wearing of masks, hoods or face coverings shall still apply.

NOTE: The purpose of this bill is to prohibit a mask or face covering requirement by the State of West Virginia or by local boards of health in West Virginia.

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