

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4293

By Delegate Kirby

[Introduced January 10, 2024; Referred
to the Committee on Health and Human Resources]

1 A BILL amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-1-23, relating to providing limitations on mask wearing requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. STATE PUBLIC HEALTH SYSTEM.

§16-1-23. Limitations on requirements to wear a mask.

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

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

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

10 (d) This section shall not remove the ability of an entity in subsection (a) to recommend
11 masks, and this section shall not apply to hospitals, senior or assisted living centers, or any other
12 medical or health facility.

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.