WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4593

By Delegates Summers, Tully, Hanshaw (Mr. Speaker), Pushkin, Hamilton, Petitto, Shamblin, Sheedy, Miller, Rohrbach, and Griffith

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

A BILL to amend and reenact §5-31-3 of the Code of West Virginia, 1931, as amended, relating requiring certain provisions within the by-laws of the foundation.

Be it enacted by the Legislature of West Virginia:

Article 31. THE WEST VIRGINIA FIRST FOUNDATION.

§5-31-3. West Virginia First Foundation.

A private foundation in keeping with the order, known as the West Virginia First Foundation, that qualifies under Internal Revenue Code Section 501(c)(3), and created by the parties to the memorandum of understanding is recognized. The foundation shall have a governing board, an expert panel, and other additional and regional entities necessary for the purpose of receiving and disbursing opioid funds and other purposes set forth in the order and the memorandum of understanding. The operation of the West Virginia First Foundation shall be governed by its articles of incorporation and any by-laws adopted consistent with the provisions of the memorandum of understanding and the order. The by-laws shall include a provision that the foundation shall comply with the requirements of the Open Governmental Proceedings Act set forth in §6-9A-1 *et seq*. of this code and the Freedom of Information Act set forth in §29B-1-1 *et seq*. of this code.

NOTE: The purpose of this bill is to require the West Virginia First Foundation to comply with the Open Governmental Proceedings Act and the Freedom of Information Act.

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