WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4847

By Delegates Hillenbrand, Burkhammer, McGeehan, C.Pritt, Phillips, Brooks, Shamblin, Thorne, Hanshaw (Mr.Speaker), and Rohrbach

[Introduced January 17, 2024; Referred to the Committee on Education then the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, §18-34-2, §18-34-3, and §18-34-4, all relating to defining patriotic youth group organizations, public school access for patriotic youth group organizations, and permitting schools to perform background checks on the leaders of the groups that apply to present information at the schools.

Be it enacted by the Legislature of West Virginia:

Article 34. Patriotic Youth Group Organizations.

§18-34-1. Definitions.

For the purposes of this chapter:

(a) "Organization" means any youth organization listed in Title 36 of the United States Code that has an educational purpose and promotes patriotism and civic involvement.

(b) Public School means the following:

(1) A school maintained by a County Board of Education; or

(2) A charter school.

§18-34-2. Dissemination of organizational information at public schools.

An organization may request that a public school allow representatives of the organization to provide oral, written, or oral and written information regarding the organization, including information regarding how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and moral instruction, to students of the public school on school property.

§18-34-3. Appearance at public schools upon request of organization.

Upon request by an organization under §18-34-2 of this code, a public school shall provide at least one time each school year, a day and time, which shall be during the school day as approved by the public school, for the representatives of the organization to provide information to students on school property as described in §18-34-2 of this code.

§18-34-4. Background checks — Refusal of organizational representative convicted of felony.

(a) A public school shall conduct an expanded criminal history check of a representative of an organization before the representative may provide information to students at a public school under §18-34-3 of this code. The representative may be required to provide a written consent for the public school to conduct the expanded criminal history check. The representative of the organization is responsible for all costs associated with obtaining the expanded criminal history check.

(b) A public school may refuse to allow a representative to provide information as described in this article if the representative has been convicted of a felony or misdemeanor listed in Chapter 60A or Chapter 61 of this code.

NOTE: The purpose of this bill is to provide public school access for patriotic youth groups.

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