

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5653**

By Delegate Rowe

[Introduced February 13, 2024; Referred to the  
Committee on Education]

1 A BILL to amend and reenact §18-2-25e of the Code of West Virginia, 1931, as amended, relating  
 2 to removing the one-time free transfer for high school student-athletes and grandfather  
 3 students who transferred during the 2023-2024 school year.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE            2.            STATE            BOARD            OF            EDUCATION.**  
**§18-2-25e.            Athletic            eligibility            of            transfer            students.**

1 ~~(a) The West Virginia Secondary School Activities Commission shall modify its rule, prior to~~  
 2 ~~the 2023-2024 school year, to allow students to transfer schools and retain athletic eligibility at~~  
 3 ~~least one time during a student's four years of secondary school, inclusive of grades nine through~~  
 4 ~~12. The West Virginia Secondary School Activities Commission may promulgate an emergency~~  
 5 ~~rule, if necessary, to modify its rule prior to the 2023-2024 school year.~~

6 ~~(b) Nothing in this section is intended to limit or restrict a student transferring more than~~  
 7 ~~one time for the following reasons:~~

8 ~~(1) The West Virginia Secondary School Activities Commission's ability to make eligibility~~  
 9 ~~determinations on a case-by-case basis when warranted by a student's circumstances in~~  
 10 ~~accordance with the West Virginia Secondary School Activities Commission's rules; or~~

11 ~~(2) For any other reason permitted under the rules of the West Virginia Secondary School~~  
 12 ~~Activities Commission.~~

13 (a) The West Virginia Secondary School Activities Commission may not permit students to  
 14 transfer and retain athletic eligibility.

15 (b) The West Virginia Secondary School Activities Commission may grandfather in any  
 16 students who transferred in the 2023-2034 school year.

NOTE: The purpose of this bill is to remove the one-time free transfer for high school student-athletes and to grandfather in students who transferred during the 2023-2024 school year.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.