

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Introduced**

## **Senate Bill 841**

By Senators Maynard, Azinger, Bartlett, Charnock,  
Deeds, Fuller, Grady, Helton, Martin, Roberts, Rose,  
Rucker, Tarr, Taylor, Thorne, and Willis

[Introduced March 20, 2025; referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §1-8-1, §1-8-2, §1-8-3, §1-8-4, and §1-8-5, relating to prohibiting state  
3 government entities from promoting or facilitating discussions, policies, programs, or  
4 medical procedures related to sexual orientation or gender transitioning; defining terms;  
5 prohibiting use of state funds for such purposes; establishing enforcement mechanisms;  
6 and providing for penalties.

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

**ARTICLE 8. PROHIBITION ON PROMOTION OR FACILITATION OF SEXUAL  
ORIENTATION AND GENDER TRANSITIONING BY STATE ENTITIES.**

**§1-8-1. Definitions.**

1 For the purposes of this section:

2 (1) "State government entity" means any department, agency, bureau, board, commission,  
3 public school, state-funded university, state-operated healthcare facility, social services office, or  
4 any entity receiving state funds.

5 (2) "Promotion or facilitation" means any form of discussion, training, curriculum,  
6 counseling, medical procedure, referral, policy implementation, or financial support related to  
7 sexual orientation or gender transitioning.

8 (3) "Gender transitioning" includes but is not limited to any medical, surgical,  
9 pharmaceutical, or counseling-based interventions intended to change an individual's gender  
10 identity from their biological sex at birth.

**§1-8-2. Prohibitions.**

1 (a) No state government entity shall engage in, promote, or facilitate discussions, training,  
2 curriculum development, or policies related to sexual orientation or gender transitioning.

3 (b) No state funds shall be used to support any medical, psychological, or educational  
4 program that includes gender transitioning or sexual orientation discussions.

5 (c) No state entity shall offer referrals, funding, or resources for gender transition-related  
6 treatments, including puberty blockers, hormone therapy, or surgical procedures.

7 (d) No public school, university, or state-funded institution shall allow materials, books,  
8 instructional programs, or presentations that promote or facilitate discussions on sexual  
9 orientation or gender identity.

**§1-8-3.** **Enforcement.**

1 (a) Any employee or official of a state government entity who willfully violates this section  
2 shall be subject to disciplinary action, including termination.

3 (b) Any state entity found in violation shall be subject to a suspension of funding, as  
4 determined by the appropriate oversight authority.

5 (c) A private right of action is granted to any resident of West Virginia who believes a state  
6 government entity has violated this section. Such action may be filed in any circuit court within the  
7 state.

8 (d) The Attorney General shall have the authority to investigate and prosecute violations of  
9 this section.

**§1-8-4.** **Severability.**

1 If any provision of this article or its application to any person or circumstance is held invalid,  
2 the invalidity does not affect other provisions or applications of this article that can be given effect  
3 without the invalid provision or application, and to this end, the provisions of this article are  
4 severable.

NOTE: The purpose of this bill is to prohibit state government entities from promoting or facilitating discussions, policies, programs, or medical procedures related to sexual orientation or gender transitioning; defining terms; prohibiting use of state funds for such purposes; establishing enforcement mechanisms; and providing for penalties.

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