

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 4176

BY DELEGATES MILLER, HANSHAW (MR. SPEAKER),
MILEY, SHOTT, D. KELLY, KESSINGER, CANESTRARO AND
LOVEJOY

[Introduced January 14, 2020; Referred to the
Committee on Veterans' Affairs and Homeland
Security then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §15A-9-1, §15A-9-2, §15A-9-3, §15A-9-4, §15A-9-5, §15A-9-6, and §15A-9-7,
3 establishing the West Virginia Fusion Center Act.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9. WEST VIRGINIA FUSION CENTER.

§15A-9-1. West Virginia Fusion Center Established.

1 (a) The Governor shall establish, organize, equip, staff, and maintain a multiagency
2 information fusion center ("Fusion Center") to receive, analyze, and disseminate all hazards, all
3 crimes, and all threat information. The Department of Homeland Security shall operate the facility,
4 as directed by the Governor, with oversight auditing and accountability to the select committee of
5 the legislature as set forth herein, and in collaboration among federal, state, and local agencies,
6 as well as private sector persons, organizations, entities or agencies, including, but not limited to,
7 those with the primary purposes of homeland security, counter-terrorism, public safety, public
8 protection and critical infrastructure: *Provided*, That the Fusion Center shall not knowingly allow
9 a contractor for a federal intelligence agency work inside of the Fusion Center. The Fusion Center
10 shall collect, integrate, analyze, disseminate, and maintain such information to support local,
11 state, and federal law-enforcement agencies, other governmental agencies, and private persons,
12 organizations, entities or agencies in detecting, preventing, investigating, preparing for,
13 responding to, and recovering from any possible or actual criminal and/or terrorist activity, as well
14 as any hazard, including the state's critical infrastructure, in compliance with applicable state and
15 federal laws and regulations, including 28 CFR 23: *Provided*, That as used in this article,
16 "terrorism" shall mean only foreign or international terrorist groups or individuals, or of domestic
17 groups or individuals involved in transnational or domestic terrorism as defined in 6 U.S.C.
18 §485(a)(5): *Provided further*, That under no circumstances whatsoever shall the Fusion Center or
19 its officers, directors, agents or employees engage in, or be ordered or directed to engage in
20 prohibited non-law enforcement intelligence gathering activities on citizens of the United States

21 as set forth in any federal or state law or in contravention of the Constitution of the United States,
22 nor shall the Fusion Center in any way be utilized, engage in, or be directed to be utilized or
23 engaged in any information or intelligence gathering or intelligence operation of any kind for any
24 political purpose whatsoever.

25 (b) The West Virginia Fusion Center shall be housed within secure facilities in order to
26 access sensitive information, as permitted by state and federal law. Within the secure facilities,
27 the Fusion Center shall house a Homeland Secure Data Network (HDSN) in order to access
28 classified information, as permitted by state and federal law and ensure that appropriate security
29 measures are in place for: (1) The secure facilities; (2) data collected or stored at the secure
30 facilities; and (3) personnel working at the secure facilities.

31 (c) The West Virginia Fusion Center shall do all acts necessary and proper to carry out
32 the powers granted to the board State Resiliency Office.

§15A-9-2. Operation of center.

1 (a) The West Virginia Department of Homeland Security shall operate the West Virginia
2 Fusion Center under the direction of the Governor, with oversight auditing and accountability to
3 select committee of the legislature as set forth herein, and shall cooperate with the United States
4 Department of Homeland Security, local, county, state, or federal government agencies, and
5 private organizations: *Provided*, That under no circumstance shall any private sector persons,
6 organizations, entities or agencies utilizing or collaborating with the Fusion Center be a contract
7 operator for any federal intelligence agency: *Provided further*, That all Fusion Center operations
8 shall be subject to applicable state and federal laws and regulations, including, but not limited to,
9 28 CFR Part 23 and shall at all times strictly abide by all restrictions and prohibitions against
10 conducting non-law enforcement intelligence operations against U.S. citizens as set forth in any
11 federal or state law or in contravention of the Constitution of the United States, including but not
12 limited to, 50 U.S.C. §3036(d).

13 (b) The West Virginia Fusion Center shall: (1) Be the primary clearing house for the State
14 of West Virginia for the collection, the analysis of and the proper distribution of information and
15 actionable intelligence as defined in this section; (2) generate intelligence analysis critical for
16 homeland security policy and relevant threat warning in order to protect life, liberty and property
17 in West Virginia; (3) promote and improve intelligence sharing among public safety and public
18 service agencies at the federal, state, and local levels, and with critical infrastructure and key
19 resource entities within the private sector subject to all restrictions and prohibitions recited in
20 Chapter 15A, Article 9 of this code; (4) receive and integrate intelligence and information related
21 to terrorism and other homeland security threats; (5) collect, analyze, produce, disseminate, and
22 maintain such intelligence and information, as allowed by law, to support local, state, and federal
23 law enforcement agencies, other governmental agencies and private organizations in: preventing,
24 preparing for, responding to, and recovering from any possible or actual terrorist attack or other
25 homeland security threat; and (6) maximize intelligence and information sharing in strict
26 accordance with all applicable state and federal laws, restrictions and prohibitions: *Provided, That*
27 the Fusion Center shall not knowingly allow a contractor for a federal intelligence agency work
28 inside of the Fusion Center.

29 (c) The Governor shall provide facilities, budget, and administrative support for the West
30 Virginia Fusion Center and its employees and participants. The cabinet secretary for the West
31 Virginia Department of Homeland Security shall be the custodian of all records collected and
32 maintained at the West Virginia Fusion Center, and also shall serve as security manager for the
33 West Virginia Fusion Center.

34 (d) Private sector persons, organizations, entities or agencies participating in the West
35 Virginia Fusion Center shall not be considered governmental entities, nor shall employees or
36 agents of private sector persons, organizations, entities or agencies assigned to the West Virginia
37 Fusion Center be considered state employees; however, private sector entities and their
38 employees or agents are subject to the same confidentiality requirements and held to the same

39 standards as an employee of the West Virginia Fusion Center; including but not limited to, any
40 and all restrictions and prohibitions against conducting non-law enforcement intelligence
41 operations against U.S. citizens as set forth in any federal or state law or in contravention of the
42 Constitution of the United States, including but not limited to, 50 U.S.C. §3036(d): *Provided, That*
43 under no circumstance shall any private sector persons, organizations, entities or agencies
44 utilizing or collaborating with the Fusion Center be a contract operator for any federal intelligence
45 agency.

46 (e) The operations of the West Virginia Fusion Center shall be overseen by cabinet
47 secretary and deputy cabinet secretary of the West Virginia Department of Homeland Security,
48 with oversight auditing and accountability to select committees of the legislature as set forth
49 herein.

50 (f) The cabinet secretary and deputy cabinet secretary shall have a current, valid federal
51 security clearance at the appropriate level.

52 (g) The cabinet secretary and deputy cabinet secretary may adopt policies and procedures
53 for the operation of the West Virginia Fusion Center. The cabinet secretary and deputy cabinet
54 secretary may adopt rules and regulations as may be necessary to carry out the provisions of this
55 act, including rules and regulations concerning the operations of the West Virginia Fusion Center:
56 *Provided, That* all policies, procedures, rules and regulations shall be subject to any and all
57 restrictions and prohibitions against conducting non-law enforcement intelligence operations
58 against U.S. citizens as set forth in any federal or state law or in contravention of the Constitution
59 of the United States, including but not limited to, 50 U.S.C. §3036(d).

60 (h) Subject to appropriations, the West Virginia Fusion Center shall have the following
61 employees, all in the unclassified service of the civil service act:

62 (1) A director, who shall be appointed by and serve at the pleasure of the cabinet
63 secretary. The director shall have a current, valid federal security clearance at the appropriate
64 level and training and certifications commensurate with the position and shall:

65 (A) Be responsible for all operations of the West Virginia Fusion Center and shall report
66 to the cabinet secretary or deputy cabinet secretary;

67 (B) Be responsible for:

68 (2) Facilitating and implementing applicable federal standards and programs by the West
69 Virginia Fusion Center;

70 (3) Ensuring compliance with all applicable laws and federal requirements, including but
71 not limited to, any and all restrictions and prohibitions against conducting non-law enforcement
72 intelligence operations against U.S. citizens as set forth in any federal or state law or in
73 contravention of the Constitution of the United States, including but not limited to, 50 U.S.C.
74 §3036(d); and

75 (4) Maintaining proper separation between military and civilian capacities;

76 (C) Provide support, as needed, to the cabinet secretary and deputy cabinet secretary;

77 and

78 (D) Other duties and responsibilities as may be assigned by the cabinet secretary and
79 deputy cabinet secretary, subject to all restrictions and prohibitions described in Chapter 15A,
80 Article 9 of this code;

81 (5) A deputy director shall have a current, valid federal security clearance at the
82 appropriate level, training and certifications commensurate with the position who shall be
83 responsible for assisting the director in: (A) Facilitating and implementing applicable federal
84 standards and programs by the West Virginia Fusion Center; (B) ensuring compliance with all
85 applicable laws and federal requirements; (C) maintaining proper separation between military and
86 civilian capacities; (D) providing support, as needed, to the cabinet secretary and deputy cabinet
87 secretary; and (E) other duties and responsibilities as may be assigned by the Fusion Center
88 director, other employees as may be authorized by cabinet secretary and deputy cabinet
89 secretary to administer properly the provisions of this act.

§15A-9-3. Joint Oversight Committee.

1 (a) The Speaker of the House of Delegates and President of the Senate shall establish a
2 select committee which shall have oversight of the information collected by the West Virginia
3 Fusion Center to ensure the proper collection, dissemination, storage, and destruction of
4 information or intelligence. The committee shall be comprised of: (i) the Speaker of the House of
5 Delegates and four members of the House of Delegates, to be appointed by the Speaker of the
6 House of Delegates, no more than two of whom shall be appointed from the same political party;
7 (ii) the President of the Senate and four members of the Senate, to be appointed by the President
8 of the Senate, no more than two of whom shall be from the same political party; and counsel and
9 staff to the Speaker and the Senate President: *Provided*, That in the event the membership of a
10 political party is less than 15 percent in the House of Delegates or Senate, then the membership
11 of that political party from the legislative house with less than 15 percent membership may be one
12 from that house. The committee shall be chaired by the President of the Senate and the Speaker
13 of the House of Delegates. All members appointed to the Select Committee by the Select
14 Committee chairs serve until their successors are appointed as provided in this section. The
15 Select Committee members counsel, and staff must have the appropriate security clearance in
16 order to obtain information that is classified and shall be subject to the same rules, regulations,
17 and laws as the employees of the West Virginia Fusion Center for safeguarding both classified
18 and law enforcement sensitive information or intelligence. These Select Committee members
19 counsel, and staff shall be advised of the restrictions and protocol for handling such information
20 or intelligence and shall sign a statement of understanding as well as a confidentiality agreement.

21 (b) Members of the Select Committee may enter and inspect the West Virginia Fusion
22 Center at any time, during normal business hours, with Select Committee counsel, and staff with
23 or without notice to the West Virginia Fusion Center.

24 (c) Meetings of the Select Committee shall be confidential and the information, materials,
25 in any medium, including hard copy and electronic, coming to the knowledge of or placed in the

26 custody of the Select Committee and shall not be subject to the West Virginia Freedom of
27 Information Act (§29B-1-1 et seq. of this code).

28 (d) The Select Committee may conduct proceedings in a confidential executive session
29 for the purpose of establishing business, establishing policy, reviewing investigations, and
30 interrogating a witness or witnesses.

31 (e) All witnesses appearing before the Select Committee shall testify under oath or
32 affirmation, and any member of the Select Committee or its counsel may administer oaths or
33 affirmations to such witnesses. To compel witnesses to attend a hearing or produce any books,
34 records, documents, or papers, or any other tangible thing except where the records, documents,
35 data, or items are protected from disclosure by privilege recognized by state or federal courts, the
36 Select Committee may issue subpoenas, signed by one of the cochairs: *Provided*, That the Select
37 Committee may specifically authorize or delegate the power to any member of the Select
38 Committee to sign subpoenas on its behalf. The subpoenas shall be served by any person
39 authorized by law to serve and execute legal process, and service shall be made without charge.
40 Witnesses subpoenaed to attend hearings shall be allowed the same mileage and per diem as is
41 allowed witnesses before any petit jury in this state.

42 (f) If any person subpoenaed to appear at any hearing shall refuse to appear or to answer
43 inquiries there propounded, or shall fail or refuse to produce books, records, documents, papers,
44 or any other tangible thing within his or her control when the same are demanded, the Select
45 Committee shall report the facts to the circuit court of Kanawha County or any other court of
46 competent jurisdiction and such court may compel obedience to the subpoena as though such
47 subpoena had been issued by such court in the first instance: *Provided*, That prior to seeking
48 circuit court relief, the Select Committee may, in its discretion, first demand the Secretary
49 Homeland Security and/or the Director of the West Virginia Fusion Center under whom an
50 employee has failed to appear or which has failed to produce requested or subpoenaed material

51 to appear before the Select Committee and address the basis for the failure to comply and
52 whether compliance will be forthcoming.

53 (g) The Select Committee may direct the West Virginia Fusion Center to send its budgetary
54 accounting to the State Auditor: *Provided*, That if budgetary expenditures are classified, or
55 security, or law enforcement sensitive that would compromise an investigation, those entry
56 descriptions, but not the expenditure amounts, may be redacted from the West Virginia Fusion
57 Center accounting provided to the State Auditor: *Provided further*, That the State Auditor shall
58 bring any accounting issues of concern to the attention of the Select Committee, upon which the
59 Select Committee shall subpoena the West Virginia Fusion Center for unredacted copies of the
60 accounting items to be presented for explanation and justification of the necessity and legality of
61 the concerns raised by the State Auditor. The Select Committee shall take whatever action it
62 deems necessary, if any, after review and analysis of the subpoenaed unredacted materials.

§15A-9-4. Memorandum of understanding required.

1 (a) Each governmental and nongovernmental entity participating in the West Virginia
2 Fusion Center shall enter a memorandum of understanding between the West Virginia Fusion
3 Center and the participating entity. Said memorandum of understanding shall at a minimum:

4 (1) Provide a framework and working mechanism for the organization of the West Virginia
5 Fusion Center to address issues that are common to city, county, state, and federal governments'
6 obligations to protect the safety and well-being of citizens and to enhance the success of the
7 Fusion Center in responding to criminal, terrorist, and other threats to public safety through the
8 achievement of coordination and cooperation;

9 (2) Clarify the working relationships between the governmental and nongovernmental
10 entities and use limitations of shared information; and

11 (3) Outline the intent of the parties regarding the information provided by the non-
12 governmental entities to the West Virginia Fusion Center.

13 (b) Nothing in any agreement shall obligate any nongovernmental entity to provide
14 information nor establish any duty for any nongovernmental entity to assume any police or law
15 enforcement responsibilities.

16 (c) Failure of any governmental or nongovernmental entity to abide by the restrictions and
17 use limitations set forth by the West Virginia Fusion Center may result in the suspension or
18 termination of use privileges, discipline sanctions imposed by the user's employing agency, or
19 criminal prosecution.

20 (d) Any and all interagency Memorandums of Understanding and participating public or
21 private persons, organizations, entities or agencies described in this section shall be subject to
22 all restrictions and prohibitions described in this section.

§15A-9-5. Confidentiality and immunity from service of process; penalties.

1 (a) Except as set forth in subsection (d) below, papers, records, documents, reports,
2 materials, databases, or other evidence or information relative to criminal intelligence or any
3 terrorism investigation in the possession of the West Virginia Fusion Center shall be confidential
4 and shall not be subject to the West Virginia Freedom of Information Act (§29B-1-1 et seq. of this
5 code): *Provided*, That this exemption from the West Virginia Freedom of Information Act may be
6 lifted in the event of that a court determines in a state or federal Whistleblower action that unlawful
7 or unauthorized activity has taken place, and shall in no way restrict the legislature's oversight
8 committee from access to all such information. Every five years, the West Virginia Fusion Center
9 shall conduct a review of information contained in any database maintained by the West Virginia
10 Fusion Center. Data that has been determined to not have a nexus to criminal or terrorist activity
11 shall be removed from such database. A reasonable suspicion standard shall be applied when
12 determining whether or not information has a nexus to terrorist activity for non-U.S. citizens, but
13 a probable cause standards shall apply for U.S. citizens: *Provided*, That all such determinations
14 shall be reported to the legislature's oversight committee at regularly scheduled oversight audit
15 and committee meetings.

16 (b) No person, having access to information maintained by the West Virginia Fusion
17 Center, shall be subject to subpoena in a civil action in any court of the state to testify concerning
18 a matter of which he has knowledge pursuant to his access to criminal intelligence information
19 maintained by the West Virginia Fusion Center.

20 (c) No person or agency receiving information from the West Virginia Fusion Center shall
21 release or disseminate that information without prior authorization from the West Virginia Fusion
22 Center.

23 (d) Intelligence data in the possession of a criminal or juvenile justice agency, state or
24 federal regulatory agency, or peace officer, or disseminated by such agency or peace officer, are
25 confidential records under §29B-1-1 et seq. of this code.

26 (e) Any person who knowingly disseminates information in violation of this section is guilty
27 of a misdemeanor and, upon conviction, shall be fined not less than \$200 nor more than \$1,000,
28 or be confined for not more than 20 days, or both fined and confined. If such unauthorized
29 dissemination results in death or serious bodily injury to another person, such person is guilty of
30 a felony and, upon conviction, shall be imprisoned in a state correctional facility not less than one
31 nor more than five years: *Provided*, That all state and federal Whistleblower Protection Act
32 protections shall apply to any person whose disclosures are found to have been made to report
33 or protect against violation or attempted violation of any and all restrictions and prohibitions
34 against conducting non-law enforcement intelligence operations against U.S. citizens as set forth
35 in any federal or state law or in contravention of the Constitution of the United States, including
36 but not limited to, 50 U.S.C. §3036(d).

37 (f) Any person, being an officer or employee of the United States, the State of West Virginia
38 or of any department, agency or political subdivision thereof, or any person from the private sector
39 or industry assigned to or working with the West Virginia Fusion Center in any capacity, who
40 knowingly publishes, divulges, discloses, or makes known in any manner, or to any extent not
41 authorized by law, any critical infrastructure or national intelligence information protected from

42 disclosure by this section coming to him or her in the course of their employment, affiliation or
43 official duties with the West Virginia Fusion Center, or by reason of any examination or
44 investigation made by, return, report, or record made to or filed with, such department or agency,
45 officer or employee thereof, shall, upon conviction, be imprisoned not less than one year, and
46 shall be removed from office or employment and affiliation with the West Virginia Fusion Center:
47 *Provided*, That all state and federal Whistleblower Protection Act protections shall apply to any
48 person whose disclosures are found to have been made to report or protect against violation or
49 attempted violation of any and all restrictions and prohibitions against conducting non-law
50 enforcement intelligence operations against U.S. citizens as set forth in any federal or state law
51 or in contravention of the Constitution of the United States, including but not limited to, 50 U.S.C.
52 §3036(d).

53 (g) The West Virginia Department of Homeland Security shall provide legal counsel to the
54 West Virginia Fusion Center to serve as privacy and civil liberties counsel to the West Virginia
55 Fusion Center. Such attorney shall advise the West Virginia Fusion Center, director, and deputy
56 director on all matters necessary to ensure compliance with all applicable federal and state
57 privacy or civil liberties laws, obligations, restrictions and prohibitions as set forth herein.

58 (h) For purposes of this chapter:

59 (1) "Criminal intelligence information" means data or information that has been evaluated
60 and determined to be relevant to the identification and criminal activity of individuals or
61 organizations that are reasonably suspected of involvement in criminal activity.

62 (2) "Critical Infrastructure" means systems and assets as defined in 42 U.S.C. § 5195c(e).

63 (3) "National Intelligence" means data or information determined to meet the definition as
64 defined in 50 U.S.C. §3003 (5): *Provided*, That Fusion Center activities and operations relating to
65 National Intelligence shall at all times strictly abide by all restrictions and prohibitions against
66 conducting non-law enforcement intelligence operations against U.S. citizens as set forth in any
67 federal or state law or in contravention of the Constitution of the United States, including but not

68 limited to, 50 U.S.C. §3036(d). Any use of Fusion Center assets or personnel for political or other
69 unlawful or improper purposes is strictly prohibited.

§15A-9-6. Receipt of information; immunity from liability.

1 (a) No cause of action for defamation, invasion of privacy, or negligence shall arise against
2 any person for reason of that person's furnishing of information concerning any suspected,
3 anticipated, or completed criminal violation or terrorist activity when the information is provided to
4 or received from the West Virginia Fusion Center or any federal, state, or local governmental or
5 private sector entity established for the purposes of detecting and preventing acts of criminal
6 activity or terrorism: *Provided*, That with regard to any Fusion Center intelligence or information
7 gathering activity or operation against a U.S. Citizen related to alleged terrorism or violation of a
8 law, such allegation must be vetted and confirmed by procedures substantially in compliance with
9 those set forth in laws, rules, and regulations, developed in accordance with 50 U.S.C. §3036(d).

10 (b) No person shall be subject to such cause of action for cooperating with or furnishing
11 evidence or information regarding any suspected criminal violation to, the West Virginia Fusion
12 Center.

13 (c) This section shall not provide immunity for those disclosing or furnishing false
14 information with malice or willful intent to injure any person, nor for any person who does not
15 comply with the procedures set forth in §15A-9-6(a) above.

16 (d) This section does not abrogate or modify in any way common law or statutory privilege
17 or immunity heretofore enjoyed by any person or entity.

§15A-9-7. Costs.

1 (a) The director, with approval of the cabinet secretary or deputy cabinet secretary, may
2 enter into agreements with participating agencies or organizations, whether public or private, for
3 their participation in the West Virginia Fusion Center. Such agreements: (1) Shall define the duties
4 and responsibilities of each participating agency or organization; (2) may provide for payment by
5 the participating agency or organization of a reasonable share of the cost to establish, maintain

6 and operate the West Virginia Fusion Center, and (3) shall require compliance with all
7 requirements, restrictions and prohibitions set forth in Chapter 15A Article 9 of this code.

8 (b) (1) The West Virginia Fusion Center, with approval of the cabinet secretary or deputy
9 cabinet secretary, may accept any gift, grant, payment, moneys or assets seized by forfeiture as
10 a result of collaborative efforts or contribution from any source, public or private, for the purpose
11 of paying the costs to establish, maintain or operate the West Virginia Fusion Center. Such gift,
12 grant, payment, moneys or assets seized by forfeiture as a result of collaborative works or
13 contribution may be in the form of services, equipment, supplies, materials or funds. All amounts
14 received under this section shall be remitted to the State Treasurer in accordance with chapter
15 12 of this code, and the amendments thereto. Upon receipt of each such remittance, the State
16 Treasurer shall deposit the entire amount in the State Treasury to the credit of the West Virginia
17 Fusion Center Fund, that is hereby created in the State Treasury and shall be administered by
18 the West Virginia Department of Homeland Security in accordance with this article and subject to
19 regular auditing and oversight by the legislature's select oversight committee.

20 (2) Moneys in the West Virginia Fusion Center Fund may be used by the director to pay
21 any costs associated with establishing, maintaining or operating the West Virginia Fusion Center.
22 The director of the West Virginia Fusion Center Fund shall develop policy and procedures for
23 purchasing, and expenditures shall be made in accordance with vouchers approved by the
24 director or the director's designee. Any gift, grant, payment, moneys, or any assets seized by
25 forfeiture as a result of collaborative efforts, or contribution in any form, other than funds may be
26 accepted by the director, with approval of the cabinet secretary, and utilized and expended in any
27 manner authorized by law to establish, maintain or operate the West Virginia Fusion Center:
28 Provided, That all moneys used by the director shall be subject to all restrictions and prohibitions
29 set forth in Chapter 15A Article 9, and also to regular auditing and oversight by the legislature's
30 select oversight committee.

31 (3) The moneys credited to the fund created in subsection (b) shall be used for the
32 purposes set forth in this section and for no other governmental purposes. It is the intent of the
33 Legislature that the moneys deposited in this fund shall remain intact and inviolate for the
34 purposes set forth in this act.

§15A-9-8. Registration plates to official vehicles; used in agency activities.

1 Notwithstanding any provision of this code to the contrary, the Commissioner of the
2 Division of Motor Vehicles is authorized to issue Class A license plates to authorized state-owned
3 vehicles operated by the West Virginia Fusion Center when the director signs a written affidavit
4 stating that the vehicle or vehicles for which the plates are being requested will be used by the
5 West Virginia Fusion Center in fulfilling its mission.

NOTE: The purpose of this bill is to establish the West Virginia Fusion Center, operation of center, confidentiality and immunity from service of process; penalties, receipt of information, immunity from liability, costs, and protection of civil liberties from unlawful intelligence gathering activity and relating to Class A registration plates for official use.

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