

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4632**

BY DELEGATES CONLEY, MCGEEHAN, PHILLIPS,  
PAYNTER, G. WARD, KIMBLE, MAZZOCCHI, PRITT AND  
MANDT

[Introduced February 10, 2022; Referred to the Committee  
on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §5A-3-10f; and to amend said code by adding another new section, designated  
 3 §12-4-13, all relating to eliminating state funding to any institution, political subdivision, or  
 4 organization that requires its employees to be vaccinated for prevention of the COVID-19  
 5 disease; prohibiting state contracts with identified vendors; defining state grants,  
 6 prohibiting state grants to issue or be awarded to such institutions, political subdivisions,  
 7 or other organizations.

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

## **CHAPTER 5A. DEPARTMENT OF ADMINISTRATION.**

### **ARTICLE 3. PURCHASING DIVISION.**

#### **§5A-3-10f. Prohibition for awarding contracts to vendors that require certain vaccinations for their employees.**

1 No contract or renewal of any contract may be awarded by the state or any of its political  
 2 subdivisions to any vendor or prospective vendor when the vendor or prospective vendor requires  
 3 or mandates that the vendor's employees be vaccinated against the Human Coronavirus 2019,  
 4 also known as the virus that causes Coronavirus Disease 2019 (COVID-19), as a condition of  
 5 employment.

## **CHAPTER 12. PUBLIC MONEYS AND SECURITIES.**

### **ARTICLE 4. ACCOUNTS, REPORTS, AND GENERAL PROVISIONS.**

#### **§12-4-13. Prohibition against state grants for any institution or organization that requires COVID19 vaccinations of employees.**

1 (a) For purposes of this section, "state grant" means funding provided by a state spending  
 2 unit, regardless of the original source of the funds, to a grantee upon application for a specific  
 3 purpose. The term "state grant" does not include: (1) Payments for goods and services purchased  
 4 by a state spending unit; (2) Compensation to state employees and public officials; (3)

5 Reimbursements to state employees and public officials for travel or incidental expenses; (4)  
6 Grants of student aid; (5) Government transfer payments; (6) Direct benefits provided under state  
7 insurance and welfare programs; (7) Funds reimbursed to a person for expenditures made for  
8 qualified purposes when receipts for the expenditures are required prior to receiving the funds;  
9 (8) Retirement benefits; and (9) Federal pass-through funds that are subject to the federal Single  
10 Audit Act Amendments of 1996, 31 U.S.C. § 7501 *et seq.*

11 (b) No state spending unit shall award a state grant, or otherwise cause state funds to be  
12 transferred, to any institution, political subdivision, corporation, or other organization that requires  
13 or mandates that its employees be vaccinated against the Human Coronavirus 2019, also known  
14 as the virus that causes Coronavirus Disease 2019 (COVID-19), as a condition of employment.

NOTE: The purpose of this bill is to eliminate state funding to any institution that requires COVID-19 vaccinations as a condition of employment.

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