

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Enrolled

Senate Bill 231

By Senators Swope, Hamilton, Jeffries, Martin,
Nelson, Roberts, Rucker, Tarr, Trump, Woelfel,
Phillips, Clements, Plymale, and Hunt

[Passed January 27, 2023; in effect from passage]

1 AN ACT to amend and reenact §5B-8-1 of the Code of West Virginia, 1931, as amended, relating
2 to transferring the administration of the West Virginia Small Business Innovation Research
3 (SBIR) and Small Business Technology Transfer (SBTT) Matching Funds Program from
4 the Department of Commerce to the Department of Economic Development, including, but
5 not limited to, the authority to propose legislative rules for promulgation.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 8. SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS
TECHNOLOGY TRANSFER MATCHING FUNDS PROGRAM.**

§5B-8-1. Definitions.

1 When used in this article:

2 "Department" means the West Virginia Department of Economic Development.

3 "SBIR" means the Small Business Innovation Research Program enacted under the Small
4 Business Innovation Development Act of 1982, Pub. L. 97-219, 15 U.S.C. § 638.

5 "STTR" means the Small Business Technology Transfer Program enacted under the Small
6 Business Technology Transfer Act of 1992, Pub. L. 102-564, 15 U.S.C § 638.

7 "Small business" means a corporation, partnership, limited liability company, statutory or
8 common law business trust, sole proprietorship, or individual, operating a business for profit,
9 which qualifies as a small business and otherwise meets the requirements of the SBIR or STTR
10 programs.

11 "West Virginia-based business" means a business that has its principal place of business
12 in this state.