

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

### **Introduced**

## **Senate Bill 231**

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

[Introduced January 16, 2023; referred  
to the Committee on Economic Development]

1 A BILL to amend and reenact §5B-8-1 of the Code of West Virginia, 1931, as amended, relating to  
2 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 ~~Commerce~~ 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.