WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4962

By Delegate Holstein

[Introduced January 22, 2024; Referred to the Committee on Political Subdivisions then the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1; to amend said code by adding thereto a new article, designated §8-40-1; and to amend said code by adding thereto a new section, designated §16-15-26, all relating to hotel and motel housing vouchers; prohibiting city or town from requiring hotel or motel participation in housing voucher programs; prohibiting county from requiring hotel or motel participation in housing voucher programs; and prohibiting a housing authority from requiring hotel or motel participation in housing voucher programs.

Be it enacted by the Legislature of West Virginia:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

Article 28. Hotel and Motel homeless housing vouchers.

§7-28-1. Hotel and motel homeless housing vouchers; participation; prohibition; definitions.

(a) A county may not require a hotel or motel to participate in any program that houses homeless individuals or families in an unoccupied hotel or motel guest rooms through the use of a housing voucher.

(b) For purposes of this section:

(1) "Homeless individuals or families" means individuals who lack fixed, regular, and adequate nighttime residence or who have a primary nighttime residence in a shelter, on the street, in a park, in a vehicle, or in an enclosure that is not authorized for human habitation.

(2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging in the form of overnight accommodations in guest rooms to transient patrons.

CHAPTER 8. MUNICIPAL CORPORATIONS.

Article 40. Hotel and Motel homeless housing vouchers.

§8-40-1. Hotel and motel homeless housing vouchers; participation; prohibition; definitions.

(a) A city or town may not require a hotel or motel to participate in any program that houses homeless individuals or families in an unoccupied hotel or motel guest rooms through the use of a housing voucher.

(b) For purposes of this section:

(1) "Homeless individuals or families" means individuals who lack fixed, regular, and adequate nighttime residence or who have a primary nighttime residence in a shelter, on the street, in a park, in a vehicle, or in an enclosure that is not authorized for human habitation.

(2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging in the form of overnight accommodations in guest rooms to transient patrons.

CHAPTER 16. PUBLIC HEALTH.

Article 15. State Housing Law.

§16-15-26. Hotel and motel homeless housing vouchers; participation; prohibition; definitions.

(a) Notwithstanding any other law, the department may not require a hotel or motel to participate in any program that houses homeless individuals or families in an unoccupied hotel or motel guest rooms through the use of a housing voucher.

(b) For purposes of this section:

(1) "Homeless individuals or families" means individuals who lack fixed, regular, and adequate nighttime residence or who have a primary nighttime residence in a shelter, on the street, in a park, in a vehicle, or in an enclosure that is not authorized for human habitation.

(2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging in the form of overnight accommodations in guest rooms to transient patrons.

NOTE: The purpose of this bill relates to relating to hotel and motel housing vouchers programs; prohibiting city or town from requiring hotel or motel participation in housing voucher programs; prohibiting county from requiring hotel or motel participation in housing voucher programs; and prohibiting a housing authority from requiring hotel or motel participation in housing voucher programs.

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