

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §7-28-1; to amend said code by adding thereto a new article, designated §8-
 3 40-1; and to amend said code by adding thereto a new section, designated §16-15-26, all
 4 relating to hotel and motel housing vouchers; prohibiting city or town from requiring hotel or
 5 motel participation in housing voucher programs; prohibiting county from requiring hotel or
 6 motel participation in housing voucher programs; and prohibiting a housing authority from
 7 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.

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

4 (b) For purposes of this section:

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

8 (2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging
 9 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.

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

4 (b) For purposes of this section:

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

8 (2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging
 9 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.

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

4 (b) For purposes of this section:

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

8 (2) "Hotel" or "motel" means an establishment that provides for payment temporary lodging
 9 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.