

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2371

By Delegates Heckert, W. Clark, Drennan, Horst,
Mallow, Willis, T. Clark, Crouse, and Green

[Introduced February 12, 2025; referred
to the Committee on Finance]

1 A BILL to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended; relating to
2 increasing the allowance for volunteer and part-volunteer fire companies and departments
3 to make an expenditure for educational and training supplies and fire prevention
4 promotional materials from \$500 to \$5,000 per year.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL
SERVICE FOR PAID FIRE DEPARTMENTS.**

**§8-15-8b. Authorized expenditures of revenues from the Municipal Pensions and
Protection Fund and the Fire Protection Fund; deductions for unauthorized
expenditures; record retention.**

1 (a) Money received from the state for volunteer and part-volunteer fire companies and
2 departments, pursuant to §33-3-14d, §33-3-33, and §33-12C-7 of this code, shall be deposited
3 into a bank account dedicated to state received funds and may not be commingled with moneys
4 received from any source other than the state. Distributions from the Municipal Pensions and
5 Protection Fund and the Fire Protection Fund allocated to volunteer and part-volunteer fire
6 companies and departments may be expended only for the following:

7 (1) Personal protective equipment, including helmet, bunker coats, pants, boots, gloves, or
8 combination of bunker pants and boots, coats, and gloves;

9 (2) Equipment for compliance with the national fire protection standard or automotive fire
10 apparatus, NFPA-1901;

11 (3) Compliance with insurance service office recommendations relating to fire
12 departments;

13 (4) Rescue equipment, communications equipment, and ambulance equipment: *Provided,*
14 That no moneys received from the Municipal Pensions and Protection Fund or the Fire Protection
15 Fund may be used for equipment for personal vehicles owned or operated by volunteer or part-

16 volunteer fire company or department members;

17 (5) The direct costs incurred due to the purchase of land, the construction of new facilities,
18 or the expansion of current facilities, when these costs can be demonstrated by the department to
19 increase the effectiveness and efficiency of the fire protection services; as well as maintenance
20 required to maintain the functionality of physical facilities of the department;

21 (6) Retirement of debts, but only if the debts were incurred exclusively for the purchase of
22 the goods and services allowed under this subsection;

23 (7) Payment of utility bills, including internet and telephone bills which may include cell
24 phones when the cell phone is used for fire department related work only;

25 (8) Payment of the cost of immunizations, including any laboratory work incident to the
26 immunizations, for firefighters against hepatitis-b and other blood-borne pathogens only when: (A)
27 purchased through the state immunization program or lowest-cost provider; and (B) no-cost or
28 low-cost administration from local boards of health or other similar programs are unavailable;

29 (9) Insurance policies, including:

30 (A) Property/casualty insurance premiums for protection and indemnification against loss
31 or damage or liability;

32 (B) Life insurance premiums to provide a benefit not to exceed \$20,000 for firefighters;

33 (C) Accident and sickness insurance premiums which may be offered to cover individual
34 members of a volunteer or part-volunteer fire company; or

35 (D) Umbrella policies that contain various types of insurance policies to protect against
36 loss and liability, so long as life insurance premiums in the amounts prescribed above and
37 property/casualty insurance are part of any umbrella policy;

38 (10) Operating expenses reasonably required in the normal course of providing effective
39 and efficient fire protection service, which include, but are not limited to, gasoline, bank fees,
40 postage, and accounting costs;

41 (11) Dues paid to national, state, and county associations;

42 (12) Workers' compensation premiums;

43 (13) Educational and training supplies and fire prevention promotional materials, not to
44 exceed ~~\$500~~ \$5,000 per year; and

45 (14) Food, bottled water, and food-related items, like disposable plates and utensils, to
46 provide necessary meals and water to a fire company when responding to an emergency and is in
47 no way connected to any fundraising events.

48 (b) If a volunteer or part-volunteer fire company or department uses any amount of money
49 received from the Municipal Pensions and Protection Fund or the Fire Protection Fund for an item,
50 service, or purpose not authorized by this section, that amount, when determined by an official
51 audit, review, or investigation, shall be deducted from future distributions to the volunteer fire
52 company or part-volunteer fire department.

53 (c) If a volunteer or part-volunteer fire company or department purchases goods or
54 services authorized by this section, but then returns the goods or cancels the services for a refund,
55 then any money refunded shall be deposited back into the same, dedicated bank account used for
56 the deposit of distributions from the Municipal Pensions and Protection Fund and the Fire
57 Protection Fund.

58 (d) A volunteer or part-volunteer fire company or department shall have a dedicated bank
59 account for all funds received from the Municipal Pensions and Protection Fund, the Fire
60 Protection Fund, and any other state distribution, including state grant money.

61 (1) Any distributions received from the Municipal Pensions and Protection Fund or the Fire
62 Protection Fund shall remain in the bank account dedicated to receiving state funds and be used in
63 accordance with this section.

64 (2) All other moneys, including state grants, must be transferred out of the account used to
65 receive state funds and transferred into another bank account within 60 days of receipt and such
66 transfer must be in the exact amount of the deposit. If any money is received from sources other
67 than the Municipal Pensions and Fire Protection Fund or the Fire Protection Fund and is not

68 transferred to another account within 60 days, the money may only be used in accordance with
69 this section.

70 (e) Each volunteer or part-volunteer fire company and department shall retain, for five
71 calendar years, all invoices, receipts, and payment records for the goods and services paid with
72 money received from the state for volunteer and part-volunteer fire companies and departments,
73 pursuant to §33-3-14d, §33-3-33, and §33-12C-7 of this code and money received as a grant from
74 the Fire Service Equipment and Training Fund as provided in §29-3-5f of this code.

75 (f) Volunteer and part-volunteer fire companies and departments may also invest the
76 received moneys, described in subsection (a) of this section, and collect interest thereon:
77 *Provided*, That volunteer and part-volunteer fire companies and departments ~~shall~~ may not
78 commingle the received moneys with funds received from any other source, ~~shall~~ may not use the
79 invested money as collateral or security for any loan, and shall retain all resulting statements of
80 accounts and earnings for a minimum of five years from the date of the statements.

NOTE: The purpose of this bill is to increase the allowance for volunteer and part-volunteer fire companies and departments to make an expenditure for educational and training supplies and fire prevention promotional materials from \$500 to \$5,000 per year.

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