

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 2720

By Delegates Vance, Brooks, Toney, Green,
Rohrbach, Holstein, Hornby, Bridges, Dean, Jeffries,
and Mazzocchi

[Originating in the Committee on Government
Organization; Reported on March 28, 2025]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §5B-2R-1, §5B-2R-2, §5B-2R-3, §5B-2R-4, §5B-2R-5, §5B-2R-6, §5B-2R-7,
3 §5B-2R-8, §5B-2R-9, and §5B-2R-10, relating to creating the Southern Coalfield
4 Resiliency and Revitalization Program for a period of five years; defining terms; finding that
5 there are challenges facing the counties in which the southern coalfields are located;
6 establishing the Southern Coalfield Resiliency and Revitalization Program; providing that
7 the program will terminate five years after this section goes into effect; establishing
8 revitalization council to organize and prioritize state resources and technical assistance for
9 these counties; directing revitalization council to develop strategies to stimulate economic
10 activity in and around the municipalities in Boone, Logan, McDowell, Mingo, and Wyoming
11 counties in coordination with certain contributing partners to the extent possible; directing
12 revitalization council to annually report; directing Department of Economic Development
13 and revitalization council to facilitate economic development incentives for the counties in
14 which the southern coalfields are located; authorizing Department of Economic
15 Development or other state body to provide state property and equipment to businesses
16 investing in the counties of the southern coalfield area of the state at a reduced cost;
17 providing that the program shall prioritize West Virginia's natural resources, industries,
18 businesses, raw materials, agricultural commodities, and reliable forms of energy.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2R. SOUTHERN COALFIELD RESILIENCY AND REVITALIZATION
PROGRAM.

§5B-2R-1. Short Title.

1 This article shall be known and cited as the “Southern Coalfield Resiliency and
2 Revitalization Program Act”.

§5B-2R-2. Legislative purpose; findings; intent.

1 (a) The impact of excessive and economically biased federal regulations on the domestic
2 coal-fired electricity market has led to a profound and significant injury to the coal industry in
3 Boone, Logan, McDowell, Mingo and Wyoming Counties, and has resulted in a dramatic negative
4 economic impact on the southern coalfield area of West Virginia.

5 (b) The purpose of this section is to establish the Southern Coalfield Resiliency and
6 Revitalization Program. To further this purpose, this program creates a collaboration among state
7 government, higher education, and private and nonprofit sectors to streamline and increase
8 technical, agricultural, and economic assistance capacity, continue and increase existing services
9 and other resources to facilitate community revitalization in the Southern Coalfield area.

10 (c) It is the intent of the Legislature to identify resources that can be prioritized to support
11 the counties of the southern coalfield area, generate thoughtful and responsible ideas to mitigate
12 the negative effects of the currently injured coal industry, and help chart a new course and
13 prosperous future for the Southern Coalfield.

§5B-2R-3.

Definitions.

1 The words defined in this section have the meanings given them for purposes of this
2 article, unless the context clearly requires otherwise.

3 "Contributing partners" means those entities or their representatives described in §5B-2R-
4 7 of this code.

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

6 "Program" means the Southern Coalfield Resiliency and Revitalization Program
7 established in this article.

8 "Revitalization Council" means those entities or their representatives described in §5B-2R-
9 5 of this code.

10 "Technical assistance" means resources provided by the state, revitalization council,
11 contributing partners, or any other individuals or entities providing programming, funding, or other
12 support to benefit the counties in the Southern Coalfield area of West Virginia under the program.

"Southern Coalfield" means an area that encompasses Boone, Logan, McDowell, Mingo, and Wyoming counties.

"Southern Coalfield Resiliency and Revitalization Program" means the entire process undertaken to further the goals of this section, including collaboration, development and implementation between the members, contributors, and technical assistance resource providers.

§5B-2R-4. Southern Coalfield Resiliency and Revitalization Program established; duration.

(a) The department shall establish the Southern Coalfield Resiliency and Revitalization Program in accordance with the provisions of this article, subject to the availability of funding necessary to support the program: *Provided*, That the department may not create any new positions or hire any additional employees to implement the provisions of this article.

(b) The program shall inventory existing assets and resources, prioritize planning and technical assistance, and determine such other assistance as might be available to revitalize communities in the counties in the Southern Coalfield area.

(c) The program shall be established for an initial period of five years from the effective date of this legislation.

§5B-2R-5. Revitalization Council created.

(a) There is hereby created a Revitalization Council to fulfill the purposes of this article. The council shall be coordinated by the department and be subject to oversight by the secretary of the department.

(b) The following entities shall serve as members of the Revitalization Council:

(1) The secretary of the department or his or her designee, who shall serve as chairperson of the council;

(2) The Secretary of the Department of Health or his or her designee;

(3) The Secretary of the Department of Human Services or his or her designee;

(4) The Commissioner of the Department of Agriculture or his or her designee;

(5) The Executive Director of the West Virginia Housing Development Fund or his or her designee;

(6) A representative from the Boone County Commission;

(7) A representative from the Logan County Commission;

(8) A representative from the McDowell County Commission;

(9) A representative from the Mingo County Commission;

(10) A representative from the Wyoming County Commission;

(11) A representative from Southern West Virginia Community and Technical College;

(12) A representative from West Virginia University;

(13) A representative from Marshall University;

(14) The County Directors of Economic Development from Boone County, Logan County, McDowell County, Mingo County, and Wyoming County; and

(15) The President of West Virginia University Technical College, or his or her designee.

(c) Council members shall not be compensated for their services or reimbursed for their expenses.

§5B-2R-6. Duties of the Revitalization Council.

(a) The council shall identify resources that can be prioritized to support economic development efforts in the Southern Coalfield counties.

(b) The council shall direct existing resources in a unified effort and in conjunction with contributing partners, as applicable, to support the Southern Coalfield counties.

(c) The council shall develop a rapid response strategy to attract or develop new enterprises and job creating opportunities in the Southern Coalfield counties.

(d) The council shall conduct or commission a comprehensive assessment of assets available at the reclaimed mine sites and abandoned industrial complexes and closed businesses and determine how those assets will be preserved and repurposed, or marketed to interested industrial parties.

(e) The council shall assist communities in the Southern Coalfield counties by developing economic policy recommendations to diversify and advance the communities.

(f) Members of the council shall support both the planning for and implementation of the program and shall give priority wherever possible to programmatic activity and discretionary, noncompetitive funding during the period the program remains in effect.

(g) Members of the council shall work together to leverage funding or other agency resources to benefit efforts to revitalize the Southern Coalfield counties.

§5B-2R-7. Contributing partners.

To the extent possible, the council shall incorporate the resources and expertise of additional providers of technical assistance to support the program, which shall include but not be limited to:

(1) The West Virginia Small Business Development Center;

(2) The Center for Rural Health Development;

(3) The West Virginia University Encova Center for Innovation and Entrepreneurship;

(4) The West Virginia University Land Use and Sustainability Law Clinic;

(5) The West Virginia University Davis College Research, Education and Outreach

Centers;

(6) The West Virginia University County Extension services;

(7) The Rahall Appalachian Transportation Institute;

(8) The Marshall University Center for Business and Economic Research;

(9) West Virginia Small Business Association;

(10) The West Virginia Community Development Hub;

(11) The West Virginia Brownfields Assistance Center at Marshall University;

(12) West Virginia State University Extension Services;

(13) West Virginia University Extension Services Agriculture, Community, Health, Economic, and Workforce Development Programs; and

19 (14) A representative from the Regional Planning and Development Councils
20 encompassing the five participating counties.

§5B-2R-8. Reporting and agency accountability.

1 The Revitalization Council, in coordination with its contributing partners, as applicable,
2 shall report annually to the Governor and the Joint Committee on Government and Finance
3 detailing the progress of the technical assistance support provided by the program, the strategic
4 plan for the Southern Coalfield counties, and the results of these efforts.

§5B-2R-9. Economic incentives for businesses investing in the Southern Coalfield
counties.

1 The department and the council, as applicable, will work to educate businesses investing
2 or interested in investing in the Southern Coalfield about the availability of, and access to,
3 economic development assistance, including but not limited to, the economic opportunity tax
4 credit provided in §11-13Q-19 of this code; the manufacturing investment tax credit provided under
5 §11-13S-1 et seq. of this code; and any other applicable tax credit or development assistance.

§5B-2R-10. Use of state property and equipment; prioritization.

1 The program shall prioritize and seek to leverage West Virginia's natural, native resources
2 and industries, including the manufacture of value-added or finished products from raw materials
3 or agriculture commodities sourced in West Virginia. The program shall prioritize and seek to
4 assist existing industries to expand where possible and identify opportunities for synergistic
5 relationships between native West Virginia businesses. The program shall prioritize and seek to
6 leverage West Virginia's natural, self-sufficient, and reliable forms of energy such as coal, oil, and
7 natural gas, to decrease the overall cost of manufacturing in the Southern Coalfield and enhance
8 industrial efforts.