

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **Senate Bill 574**

By Senator Helton

[Introduced February 24, 2025; referred to  
the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §5-1-31, relating to the elimination of diversity, equity, and inclusion policies  
3 and practices.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. THE GOVERNOR.**

**§5-1-31. Elimination of diversity, equity, and inclusion ("DEI") policies and practices.**

(a) Legislative findings. –

2 (1) The Legislature finds that the theories of diversity, equity, and inclusion (commonly  
3 referenced as "DEI") have led to the adoption of policies or practices that grant preferential  
4 treatment to or discriminate against a person based on that individual's race, color, sex, ethnicity,  
5 or national origin.

6 (2) DEI is generally understood to include any effort to promote differential treatment of or  
7 provide special benefits to individuals on the basis of race, color, sex, ethnicity, or national origin;  
8 any effort to promote or promulgate policies and procedures designed or implemented with  
9 reference to race, color, sex, ethnicity, or national origin; any effort to promote or promulgate  
10 trainings, programming, recruitment, retention, or activities designed or implemented with  
11 preferential treatment of any race, color, sex, ethnicity, or national origin over another.

12 (3) The Constitutions of West Virginia and the United States safeguard the equal protection  
13 of laws of all persons.

14 (4) Theories of DEI are contrary to equal protection guarantees of the West Virginia and  
15 United States Constitution.

16 (5) It is in the interest of the citizens of West Virginia that the state government treat them  
17 as equals under the law instead of preferentially or discriminatorily based on race, color, sex,  
18 ethnicity, or national origin.

(b) Enactment. –

20 (1) No department, division, agency, or board under the authority of the Governor, or any

entity receiving state funds, shall utilize state funds, property, or resources to do the following:

(A) Grant or support DEI staff positions, activities, procedures, or programs to the extent they grant preferential treatment based on one person's particular race, color, sex, ethnicity, or national origin over that of another;

(B) Mandate any person to participate in, listen to, or receive any education, training, activities, procedures, or programming to the extent such education, training, activity, or procedure promotes or encourages the granting of preferences based on one person's particular race, color, sex, ethnicity, or national origin over that of another;

(C) Mandate any person swear, certify, or agree to any loyalty oath that favors or prefers one particular race, color, sex, ethnicity, or national origin over that of another;

(D) Mandate any person to certify or declare agreement with, recognition of, or adherence to, any particular political, philosophical, religious, or other ideological viewpoint;

(E) Mandate any applicant for employment to provide a DEI statement or give any applicant for employment preferential consideration based on the provision of such diversity, equity, and inclusion statement;

(F) Mandate any person to disclose preferred pronouns; and

(G) Mandate any certifying or licensing agency to certify or declare agreement with recognition of or adherence to any particular political, philosophical, religious, or other ideological viewpoint.

(2) All cabinet secretaries and department heads under the authority of the Governor shall:

(A) Initiate a review of all DEI positions, activities, procedures, and programs in effect for every division, agency, and board within their department;

(B) Submit a report to the Office of the Governor within 30 days of the issuance of this order identifying:

(i) Any position, activity, procedure, and program within the divisions, agencies, and boards under their department that advocates or encourages preferential treatment of persons

47 based on theories of DEI;

48 (ii) Any state funds, property, or resources received or utilized by their department that  
49 advocate or encourages preferential treatment of persons based on theories of DEI.

50 (C) Propose a plan to the Office of the Governor within 90 days of the issuance of this order  
51 to address and eliminate any of the items identified in this section including any necessary  
52 proposals for legislation.

53 (3) All officials, departments, divisions, agencies, boards, and employees under the  
54 authority of the Governor shall cooperate with the cabinet secretaries and department heads in  
55 performance and fulfillment of this section.

NOTE: The purpose of this bill is to eliminate diversity, equity, and inclusion ("DEI") policies and practices.

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