

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 908**

By Senator Stuart

[Reported March 27, 2025, from the Committee on  
Economic Development]

1 A BILL to amend and reenact §5B-2-3 of the Code of West Virginia, 1931, as amended, relating to  
2 requiring the Secretary of the Department of Economic Development to establish a West  
3 Virginia Produced or Manufactured Program as the department's official marketing  
4 program for products produced or manufactured in West Virginia; and requiring the  
5 secretary to propose legislative rules to implement the program.

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

## **ARTICLE 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.**

### **§5B-2-3. Powers and duties of the secretary.**

1 (a) The secretary shall enhance economic growth and development through the  
2 development of a comprehensive economic development strategy for West Virginia.  
3 "Comprehensive economic development strategy" means a plan that outlines strategies and  
4 activities designed to continue, diversify, or expand the economic base of the state as a whole;  
5 create jobs; develop a highly skilled workforce; facilitate business access to capital, including  
6 venture capital; advertise and market the resources offered by the state with respect to the needs  
7 of business and industry; facilitate cooperation among local, regional, and private economic  
8 development enterprises; improve infrastructure on a state, regional, and community level;  
9 improve the business climate generally; and leverage funding from sources other than the state,  
10 including federal and private sources.

11 (b) The Department of Economic Development shall ~~utilize~~ use, to the fullest extent  
12 practicable and efficient, existing resources of the Department of Commerce for functions  
13 necessary for the operation of the department but which functions are not directly related to the  
14 purposes of the department listed in subsection (a) of this section. The Department of Economic  
15 Development may enter into ~~such~~ agreements with the Department of Commerce or other  
16 agencies of this state ~~as may be necessary or advisable to utilize~~ use existing resources of this  
17 state.

18 (c) The Secretary of the Department of Economic Development may designate, in writing,

a list of positions within the department that ~~shall be~~ are exempt from coverage under the state's classified service.

(d) The secretary, as a way of advertising and marketing the resources of this state, shall develop a West Virginia Produced or Manufactured Program as the department's official marketing program for products produced or manufactured in West Virginia, As part of this program, the secretary shall set requirements for participation in the program, develop categories of producers and manufacturers, and develop a logo to be affixed to products produced or manufactured in this state prior to their sale or distribution. The secretary shall propose a legislative rule for promulgation in accordance with §29A-3-1 et seq. of this code, to implement the provisions of this subsection.

~~(d)~~ (e) The Department of Economic Development ~~shall be~~ is exempt from §5A-3-1 et seq. of this code.