

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**ENGROSSED**

**Committee Substitute**

**for**

**House Bill 4002**

By Delegates Dittman, Chiarelli, Willis, Statler,  
Stephens, Amos, J. Cannon, Ellington, Canterbury,  
Ferrell, and Parsons

[Originating in the Committee on Education; Reported  
on January 20, 2026]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §4-16-1, §4-16-2, and §4-16-3, relating to establishing the West Virginia  
3 Collaboratory; establishing powers and duties; directing funding; establishing an advisory  
4 group; specifying composition and duties of the advisory group; authorizing  
5 reimbursement of members; exempting meetings of the advisory group from open  
6 meetings laws; exempting documents compiled by the advisory group from public records  
7 requests; and requiring annual reports.

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

**ARTICLE 16. THE WEST VIRGINIA COLLABORATORY.**

**§4-16-1. The West Virginia Collaboratory established.**

1 (a) There is established the West Virginia Collaboratory (Collaboratory) to facilitate the  
2 dissemination of the policy and research expertise of state institutions of higher education within  
3 West Virginia, as that term is defined in §18B-1-2 of this code, for practical use by state and local  
4 governments and for the benefit of the citizens of the State of West Virginia. The Collaboratory  
5 shall be housed at Marshall University.

6 (b) The Collaboratory shall do at least the following within the funds available by  
7 appropriation of the Legislature:

8 (1) Conduct, manage, or participate in research projects and opportunities that may be of  
9 interest to citizens and policymakers within the state, including, but not limited to, research in the  
10 areas of workforce development, public education, economic development, and natural resources  
11 management, including, but not limited to, research related to the environmental and economic  
12 components of the management of the natural resources within the state and of new technologies  
13 for habitat, environmental, and water quality improvements;

14 (2) Support research programs at institutions of higher education within the Collaboratory's  
15 areas of focus and expertise;

16        (3) Identify, pursue, and support research and development opportunities through  
17        technology research and development, including, but not limited to, funding opportunities and  
18        partnerships between institutions of higher education, government agencies, nonprofit  
19        organizations, and both private and public businesses;

20        (4) Develop and disseminate relevant best practices to interested parties; lead or  
21        participate in projects across the state; and make policy, research, funding, and other  
22        recommendations to the Legislature;

23        (5) Assist the Office of State Fire Marshal in the maintenance of standard safe practices for  
24        the discharge of Aqueous Film-Forming Foams (AFFF) as may be established by legislative rule  
25        under the authority of §29-3-5g of this code; and

26        (6) Teach and train students and faculty to engage in and administer neutral and unbiased  
27        research and advice on science policy through:

28        (A) Informal workshops and similar events; and

29        (B) Formal development and delivery of curriculum.

30        (c) The following applies to funding received by the Collaboratory:

31        (1) Funds appropriated by the Legislature and used by the Collaboratory may not be used  
32        for indirect overhead costs at a state institution of higher education partnering with the  
33        Collaboratory.

34        (2) All units of state and local government shall cooperate with and assist in any research  
35        program of the Collaboratory which shall include at least the following:

36        (A) Access to infrastructure;

37        (B) Access to personnel; and

38        (C) The sharing of information and data necessary or helpful to the accomplishment of the  
39        duties of the Collaboratory free of charge, subject to the provisions of applicable state and federal  
40        law.

41        (3) The Collaboratory may expend such moneys as are necessary to enter into cooperative  
42        agreements with non-academic entities partnering with a state institution of higher education in  
43        furtherance of completing research projects in accordance with the provisions of this article.

44        (4) The Collaboratory may allocate funds for equipment, or capital improvements at any  
45        property owned or operated by a state institution of higher education necessary to carry out  
46        research and development projects in which the Collaboratory has funded completely or in part.

47        (5) The Collaboratory may negotiate or impose data use, data management, and revenue  
48        sharing requirements for intellectual property developed through its research awards using state  
49        funds, including, but not limited to, contractual terms that provide for gross revenue distribution to  
50        the general fund.

51        (6) Funds appropriated by the Legislature to the Collaboratory shall not revert to the  
52        general revenue of the state but shall remain available until expended.

**§4-16-2. Advisory group.**

1        (a) There is hereby established the Collaboratory Advisory Group, which shall consist of  
2        the following members:

3        (1) Two members of the House of Delegates, to be appointed by the Speaker of the House  
4        of Delegates;

5        (2) Two members of the Senate, to be appointed by the President of the Senate;

6        (3) A designee of Marshall University, to be appointed by the President of Marshall  
7        University;

8        (4) A designee of West Virginia University, to be appointed by the President of West  
9        Virginia University;

10        (5) A designee of West Virginia State University, to be appointed by the President of West  
11        Virginia State University;

12        (6) The Chancellor of the Higher Education Policy Commission, or his or her designee; and

13        (7) Two persons who are citizens and residents of the state, to be appointed by agreement  
14    of the Speaker of the House of Delegates and the President of the Senate, who possess a broad  
15    understanding of the relationship between public and private sector research.

16        (b) The Collaboratory Advisory Group shall assist the Collaboratory in establishing  
17    priorities and developing protocols for purposes of identifying research opportunities  
18    contemplated by this article and may:

19        (1) Recommend timely research and project ideas to the Collaboratory to fund as well as  
20    anticipate and identify emerging topics and relevant policy issues for future projects;

21        (2) Help identify higher education subject matter experts to lead and contribute to  
22    Collaboratory projects;

23        (3) Utilize their expertise and experience to define the work of the Collaboratory's research  
24    projects and prioritize research projects;

25        (4) Review and recommend modifications to funding proposals and projects under  
26    consideration by the Collaboratory; and

27        (5) Review and recommend modifications to all Collaboratory reports and publications  
28    ensuring accuracy and objectivity.

29        (c) The Collaboratory Advisory Group members shall be reimbursed from funds of the  
30    Collaboratory for sums necessary to carry out its responsibilities and for reasonable travel  
31    expenses to attend meetings.

32        (d) Meetings of the Collaboratory Advisory Group are not subject to the provisions of §6-  
33    9A-1 et seq. of this code. Any records compiled by the Collaboratory Advisory Group in  
34    furtherance of its duties are not public records and are not subject to disclosure in response to a  
35    Freedom of Information Act request under §29B-1-1 et seq. of this code.

**§4-16-3. Annual report.**

2        By December 1 of each year, the Collaboratory shall report to the Joint Committee on  
3    Government and Finance on its activities in the prior fiscal year and any legislative  
4    recommendations. The report shall include a summary of the administration of accounts and  
5    expenditures from appropriated funds.