

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4002

BY DELEGATES DITTMAN, CHIARELLI, WILLIS, STATLER,
STEPHENS, AMOS, J. CANNON, ELLINGTON, CANTERBURY,
FERRELL, AND PARSONS

[Passed March 12, 2026; in effect 90 days from
passage (June 10, 2026)]

1 AN ACT 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
24 for the discharge of Aqueous Film-Forming Foams (AFFF) as may be established by legislative
25 rule 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
42 cooperative agreements with non-academic entities partnering with a state institution of higher
43 education in furtherance of completing research projects in accordance with the provisions of this
44 article.

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

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

52 (6) Funds appropriated by the Legislature to the Collaboratory shall not revert to the
53 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;
13 and

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

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

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

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

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

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

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

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

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

§4-16-3. Annual report.

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

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2026.

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Governor