

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4469**

By Delegates Sheedy, Mallow, Ferrell, Crouse,  
Hillenbrand, Green, D. Cannon, Heckert, and Bell

[Introduced January 16, 2026; referred to the  
Committee on Government Organization]

1 A BILL to amend and reenact §30-13A-11 of the Code of West Virginia, 1931, as amended,  
2 relating to county surveyors; providing a definition; and requiring county surveyors to be  
3 state residents.

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

## **ARTICLE 13A. LAND SURVEYORS.**

### **§30-13A-11. Exemptions from licensing; residency requirements.**

1 (a) The following persons are exempt from licensure under the provisions of this article:  
2 (1) Any employee of a person or firm, when such employee is engaged in the practice of  
3 land surveying exclusively for the person or firm, by which employed, or, if a corporation, its  
4 parents, affiliates or subsidiaries, and such person, firm, association or corporation does not hold  
5 himself, herself or itself out to the public as being engaged in the business of land surveying.

6 (2) Any employee or officer of the United States, this state or any political subdivision  
7 thereof, or their agents, when such employee is engaged in the practice of land surveying  
8 exclusively for such governmental unit: *Provided*, That each county surveyor of lands first elected  
9 or first appointed after January 1, 2013, pursuant to section 1, article IX of the West Virginia  
10 Constitution, shall be a surveyor licensed pursuant to the provisions of this article and such  
11 licensee shall be in good standing: *Provided, however*, That each county surveyor of lands first  
12 elected or first appointed after January 1, 2027, pursuant to section 1, article IX of the West  
13 Virginia Constitution, shall be a state resident.

14 (b) For the purpose of this section, "state resident" means a person who is domiciled in the  
15 state, which includes both physical residency (or presence) in the state, and a person who has an  
16 intent to remain in the state. Facts that may demonstrate the domicile of a person in the state, but  
17 are not limited to, the physical character of the person's residence(s); the person's time spent in  
18 the state; the person's reasons for residency in the state; whether the person intends on returning  
19 permanently to another residence outside of the state in the future; whether the person obtains a  
20 license to operate a vehicle in the state; whether the person registers a vehicle(s) or other property

21 in the state; the address listed on the person's vehicle registration card; the address listed on the  
22 person's driver's license; the address where the person receives state or federal benefits; and  
23 whether the person pays property or income taxes in the state.

24 (c) A land surveyor who wishes to hold dual offices in the state may request an exemption  
25 from the Ethics Commission pursuant to §6B-2-5 of this code. Exemptions may be granted by the  
26 commission, on a case-by-case basis, when it is shown that:

27 (1) The public office held or the public employment engaged in is not such that it would  
28 ordinarily be available or offered to a substantial number of the citizens of this state;

29 (2) The office held or the employment engaged in is such that it normally or specifically  
30 requires a person who possesses personal prestige; and

31 (3) The person's employment contract or letter of appointment provides or anticipates that  
32 the person will gain financially from activities which are not a part of his or her office or  
33 employment.

34 (d) The minimum standards for surveys, established by the board, apply notwithstanding  
35 the exemptions provided by this section.

NOTE: The purpose of this bill is to require county surveyors to be state residents and create an exemption to run for more than one county..

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