

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4515**

By Delegates Ward, Burkhammer, Butler, White,  
Coop-Gonzalez, Pinson, Kimble, Ridenour, Bell,  
McGeehan, and Jennings

[Introduced January 19, 2026; 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 §35-1-14, relating to disaffiliation from religious denominations; requiring a  
3 two-thirds vote of the membership for disaffiliation; establishing classes of property for  
4 purposes of disaffiliation; treating each separately deeded parcel of real property as a  
5 distinct unit for Class A purposes; providing that a local religious organization of a parent  
6 religious denomination or conference may retain ownership of each parcel of real property  
7 (Class A) if more than 50 percent of the costs for acquiring and improving that specific  
8 parcel were raised locally by or from the organization, subject to reimbursement of  
9 investments made by the parent religious denomination or conference; providing for  
10 ownership of chattel and personal property (Class B) based on the purchaser; providing for  
11 pro rata ownership of intangible property (Class C) based on sources of funds over a two-  
12 year lookback period; providing a catch-all provision for classification of property by a  
13 court, mediator, or arbitrator; establishing a burden of proof on the parent religious  
14 denomination or conference; requiring the parent religious denomination or conference to  
15 provide accounting within a specified timeline; providing for severability and application to  
16 a disaffiliation entered into or reaffirmed on or after the elective date; and generally relating  
17 to property of religious organizations.

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

## **ARTICLE 1. RELIGIOUS ORGANIZATIONS.**

### **§35-1-14. Disaffiliation from religious denominations; retention and division of property.**

1       (a) For the purposes of this section:  
2           (1) "Class A property" means real estate, including land, buildings, and fixtures attached  
3           thereto. Each separately deeded parcel of real property shall be treated as a distinct unit of Class  
4           A property.  
5           (2) "Class B property" means chattel and personal property, including furniture, equipment,  
6           vehicles, and other tangible movable items.

7       (3) "Class C property" means intangible property, including investments, certificates of  
8       deposit, cash, bonds, bank accounts, and similar financial assets.

9       (4) "Membership" means the persons entitled to vote in the governance of the local  
10      religious organization under its bylaws or governing documents.

11       (b) Disaffiliation under this section is effective only if approved by at least two-thirds of the  
12      membership present and voting at a duly called meeting for that purpose, notice of which has been  
13      given in accordance with the organization's governing documents.

14       (c) Upon receipt of a written request for disaffiliation from a local religious organization that  
15      includes certification of compliance with subsection (b) of this section, the parent religious  
16      denomination or conference shall provide the disaffiliating local religious organization with a full  
17      and transparent accounting of all relevant financial contributions and property ownership details  
18      within 60 days, as specified in subsections (d), (e), and (f) of this section. This accounting shall  
19      distinguish between contributions or purchases made by the parent religious denomination or  
20      conference and those made or raised locally by or from the organization.

21       (d) Class A property (real estate):

22       (1) Subject to subdivisions (2) and (3) of this subsection, a local religious organization may  
23      disaffiliate from its parent religious denomination or conference and retain ownership of each  
24      separately deeded parcel of Class A property if more than 50 percent of the total costs for the  
25      acquisition and improvement of that specific parcel were raised locally by or from the organization,  
26      excluding any funds provided by the parent religious denomination or conference.

27       (2) A disaffiliating local religious organization shall reimburse the parent religious  
28      denomination or conference for financial investments made by the parent religious denomination  
29      or conference for the acquisition, maintenance, or improvement of each separately deeded parcel  
30      of Class A property used by the local religious organization in accordance with subdivision (3) of  
31      this subsection.

32       (3) (A) The accounting required under subsection (c) of this section shall include details for

33 each separately deeded parcel of Class A property and distinguish between funds contributed by  
34 the parent religious denomination or conference and those raised locally by or from the  
35 organization to determine eligibility under subdivision (1) of this subsection and the amount of the  
36 reimbursement required under subdivision (2) of this subsection.

37       (B) The parent religious denomination or conference bears the burden of proving the  
38 amounts of its contributions through documented evidence, such as receipts, financial records, or  
39 other verifiable proof.

40       (C) If the parent religious denomination or conference fails to provide the accounting within  
41 the 60-day timeline or fails to meet its burden of proof for any claimed amounts with respect to a  
42 specific parcel, the local religious organization shall be presumed to meet the eligibility  
43 requirements under subdivision (1) of this subsection for that parcel, and reimbursement shall be  
44 waived for any unproven or undocumented amounts related to that parcel.

45       (D) A disaffiliating local religious organization may not be required to reimburse the parent  
46 religious denomination or conference for any amounts attributable to financial investments for the  
47 acquisition, maintenance, or improvement of any parcel of Class A property made by the local  
48 religious organization or raised locally by or from the organization.

49       (e) Class B property (chattel and personal property):

50       (1) Ownership of Class B property shall be retained by the party that purchased or acquired  
51 it.

52       (2) The accounting required under subsection (c) of this section shall include details for  
53 Class B property, identifying the purchaser or source of acquisition for each item.

54       (3) The parent religious denomination or conference bears the burden of proving its  
55 ownership of any disputed Class B property through documented evidence, such as receipts,  
56 financial records, or other verifiable proof.

57       (4) If the parent religious denomination or conference fails to provide the accounting within  
58 the 60-day timeline or fails to meet its burden of proof for any claimed items, the local religious

59 organization shall retain ownership of the disputed Class B property.

60 (f) Class C property (intangible property):

61 (1) Ownership of Class C property shall be divided on a pro rata basis based on the  
62 sources of funds contributed to or generating the property during the two-year period immediately  
63 preceding the date of the written disaffiliation request. If all funds were provided or raised locally by  
64 or from the organization during this period, the local religious organization shall retain full  
65 ownership. If the parent religious denomination or conference provided funds during this period,  
66 the property shall be divided proportionally according to the contributions from local sources  
67 versus those from the parent religious denomination or conference.

68 (2) The accounting required under subsection (c) of this section shall include a detailed  
69 breakdown of all sources of funds for Class C property over the two-year lookback period,  
70 distinguishing between local and parent contributions.

71 (3) The parent religious denomination or conference bears the burden of proving the  
72 amounts and sources of its contributions through documented evidence, such as receipts,  
73 financial records, or other verifiable proof.

74 (4) If the parent religious denomination or conference fails to provide the accounting within  
75 the 60-day timeline or fails to meet its burden of proof for any claimed contributions, the local  
76 religious organization shall retain full ownership of the Class C property.

77 (g) Catch-all provision for property classification:

78 For any property that does not clearly fall within Class A, Class B, or Class C as defined in  
79 subsection (a) of this section, a court, mediator, or arbitrator shall determine the appropriate class  
80 assignment based on the nature of the property and the principles outlined in this section.

81 (h) Severability and application to future disaffiliations:

82 (1) If any provision of this section or its application to any person or circumstance is held  
83 invalid, the invalidity shall not affect other provisions or applications of this section that can be  
84 given effect without the invalid provision or application, and to this end the provisions of this

85 section are severable.

86 (2) This section shall apply to any disaffiliations, trust relationship, or governing  
87 arrangement between a local religious organization and a parent religious denomination or  
88 conference that is entered into, reaffirmed, or otherwise remains in effect on or after October 1,  
89 2026.

90 (3) If the application of this section to affiliations, trust relationships, or governing  
91 arrangements that existed before October 1, 2026, is held unconstitutional, such holding shall not  
92 affect the validity or application of this section to disaffiliations, trust relationships, or governing  
93 arrangements entered into, reaffirmed, or remaining in effect on or after October 1, 2026.

94 (i) This Act shall become effective October 1, 2026.

NOTE: The purpose of this bill is to provide provisions for the disaffiliation from religious denominations and the retention and division of property upon disaffiliation.

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