

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 5041**

By Delegates Dillon, Masters, Ridenour, and Anders

[Introduced February 02, 2026; referred to the

Committee on Energy and Public Works]

1 A BILL to amend the code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §24-2J-1 and §24-2J-2, relating to requiring that all electricity providers give  
3 their customers a choice in the style of meter installed on their homes, businesses, or  
4 rental units.

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

**ARTICLE 2J. ELECTRICAL METER CHOICE.**

**§24-2J-1. Legislative findings.**

1 (a) The Legislature finds that consumer choice is a fundamental aspect of the free  
2 enterprise economic system upon which our system functions.

3 (b) The Legislature finds that many citizens have voiced concern and displeasure  
4 regarding their lack of choice regarding the type of electrical meter installed on their property by  
5 the servicing utility.

6 (c) The Legislature finds that citizens' concerns regarding certain types of electrical  
7 meters, commonly referred to as "Smart Meters", include radiation emissions, fire risks, data  
8 security, and other concerns which have not been adequately addressed, and that these concerns  
9 bolster citizens' assertions that more choice is necessary regarding such meters.

**§24-2J-2. Meter choice requirements.**

1 (a) Electrical utilities must provide customers with the option to deny installation of a "smart  
2 meter" in favor of an electrical meter which is read manually, does not contain a battery, and does  
3 not emit an electromagnetic signal.

4 (b) Incidental electromagnetic radiation emitted by the natural process of electricity flowing  
5 through the meter as part of the electricity supplied to the customer shall not constitute an  
6 electromagnetic signal under this section.

7 (c) Electrical utilities utilizing AMR, digital, or "smart meter" technology are authorized to  
8 transmit only the total kilowatt-hour usage for each month, using the fewest total transmissions  
9 necessary to collect essential usage information for billing purposes.

NOTE: The purpose of this bill is to require that all electricity providers give their customers a choice between the smart meters and manually read meters that are installed on their homes, businesses, or rental units.

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