

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]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 2J. ELECTRICAL METER CHOICE.

§24-2J-1. Legislative findings.

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

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

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

§24-2J-2. Meter choice requirements.

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

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

(c) Electrical utilities utilizing AMR, digital, or "smart meter" technology are authorized to transmit only the total kilowatt-hour usage for each month, using the fewest total transmissions 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.