

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5172

**FISCAL
NOTE**

By Delegates Linville, Hanshaw (Mr. Speaker),
Holstein, J. Cannon, G. Howell, Martin, Phillips,
Dittman, Criss, Riley, and Maynor

[Introduced February 04, 2026; referred to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §31G-7-1 and §31G-7-2, relating to establishing the Low Earth Orbit
3 Broadband Internet Connection Fund to fund installation of equipment used to receive a
4 Low Earth Orbit Broadband Internet Connection at eligible locations for broadband
5 deployment established under the grant programs for broadband services and technology
6 now being deployed in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. BROADBAND ENHANCEMENT COUNCIL.

§31G-7-1. Legislative findings and purpose.

1 The Legislature finds that the installation of equipment to expand, extend, and provide
2 general availability of broadband services and technology necessary for citizens of this state to
3 access internet communications is proceeding under the provisions of this chapter, but is not
4 expected to be completed statewide for several years. As that process continues, the citizens of
5 this state could access internet communications through an alternative means if the equipment
6 used to receive a Low Earth Orbit Broadband Internet Connection was installed at the eligible
7 locations for broadband deployment established under the grant programs for broadband services
8 and technology now being deployed. Although the speed and latency of this alternative means of
9 accessing internet communications may not be of the same standard of the broadband services
10 and technology now being deployed under this chapter, its quality provides the opportunity for the
11 citizens of this state to have immediate access to the internet until the deployment is complete.

§31G-7-2. Low Earth Orbit Broadband Internet Connection Fund.

1 The Low Earth Orbit Broadband Internet Connection Fund is hereby created. The fund
2 shall be administered by the Department of Commerce and shall consist of all moneys made
3 available for the installation of equipment used to receive a Low Earth Orbit Broadband Internet
4 Connection at the eligible locations for broadband deployment established under the grant
5 programs for broadband services and technology now being deployed under the provisions of this

6 chapter, including, but not limited to, all gifts, grants, bequests or transfers from any source, any
7 moneys that may be appropriated and designated for these purposes by the Legislature, and all
8 interest or other return earned from investment of the fund. Expenditures from the fund shall be for
9 the purposes set forth in this article and are not authorized from collections but are to be made only
10 in accordance with appropriation by the Legislature and in accordance with the provisions of §12-
11 3-1 *et seq.* of this code and upon the fulfillment of the provisions set forth in §11B-2-1 *et seq.* of this
12 code: *Provided*, That for the fiscal years ending June 30, 2026 and 2027, expenditures are
13 authorized from collections rather than pursuant to an explicit appropriation by the Legislature.
14 Any balance, including accrued interest and other returns, remaining in the fund at the end of each
15 fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be
16 expended as provided by this section.

NOTE: The purpose of this bill is to establish a new fund for expenditure to provide the installation of equipment used to receive Low Earth Orbit Broadband Internet Connections throughout the state.

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