

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5200

By Delegates G. Howell, Ellington, Canterbury,
Hornby, Dittman, Parsons, Rohrbach, Drennan,
Shamblin, Jeffries, and Maynor

[Introduced February 05, 2026; referred to the
Committee on Government Organization then
Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-2P-1 and §5B-2P-2, relating to the creation of an Office of Entrepreneurship within the Office of the Secretary of State; to provide for a report to the legislature; to authorize an increase in full-time employees; to provide an appropriation; and to authorize rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2P. OFFICE OF ENTREPRENEURSHIP.
§5B-2P-1. Office of entrepreneurship – Duties - Report.

(a) Definitions:

"Business" means any company, cooperative, corporation, partnership, sole proprietorship, or other legal entity organized or operating for pecuniary or nonpecuniary benefit.

"Entrepreneur" means an individual who initiates or leads the formation or growth of a business.

"Entrepreneurial support organization" means an entity including public, private, and academic institutions, that is established in whole or in part to provide funding, mentorship, programming, resources, support, or training to entrepreneurs, startups, or scale-ups.

"Scale-up" means a startup business that has changed scale to achieve more growth, innovation, and drive job creation, after demonstrating long-term viability of a proven business model evidenced by one or more of the following factors: substantially increased revenues, an established cash flow, a streamlined marketing and sales operation, or a growth rate of at least 20% over a three-year period.

"Startup" means a business that has been organized for five years or less.

"State agency" means an agency of West Virginia including but not limited to a board, bureau, commission, department, institution, office, and any other government entity or public body in West Virginia. This term excludes the legislative and judicial branches of state government.

19 (b) There is created an Office of Entrepreneurship within the Office of the Secretary of
20 State. Employees of the Office of Entrepreneurship report to the Secretary of State.

21 (c) The Office of Entrepreneurship shall:

22 (1) Serve as the liaison between entrepreneurs, startups, scale-ups, state agencies, and
23 organizations that support entrepreneurship, to facilitate the navigation and coordination between
24 government requirements and processes, referrals to the appropriate state agencies, and
25 identifying systemic barriers and intergovernmental solutions for purposes set forth in this article;

26 (2) Coordinate with entrepreneurs, startups, and scale-ups to facilitate the efficient
27 completion of state agency prerequisites to starting, conducting, and growing a business in West
28 Virginia;

29 (3) Foster working relationships between government and non-government entities
30 including but not limited to the Small Business Development Center, the Department of
31 Commerce, the Economic Development Authority, and entrepreneurial support organizations,
32 when appropriate, to establish a growth-positive foundation for business growth and financial
33 stability;

34 (4) Support the growth of entrepreneurship in the state, including across demographic
35 segments and geographic areas, through the creation of programs, policies, and events; and

36 (5) Be knowledgeable of and make available to entrepreneurs, startups, and scale-ups
37 resources, programs, and opportunities from state agencies and non-governmental entities to
38 support economic growth and business viability.

39 (d) State agencies are authorized to and shall provide the Office of Entrepreneurship with
40 data, information, and materials, including but not limited to educational information, limited
41 system access, records, reports, resources, statistics, and any other necessary access,
42 information, or materials to fulfil the duties and functions of the Office of Entrepreneurship.

43 (1) A state agency shall have the discretion to require a confidentiality agreement between
44 the state agency and the Office of the Secretary of State prior to fulfilling a request by the Office of

45 Entrepreneurship: *Provided*, That any confidentiality agreement shall provide specific information
46 that must be anonymized, generalized, masked, or redacted, to prevent unauthorized disclosure
47 of sensitive or non-public information.

48 (2) All such data, reports, records, resources, educational items, and other information or
49 materials obtained by the Office of Entrepreneurship under this section shall be exempt from
50 public disclosure under §29B-1-4(a)(5): *Provided*, That, such exemption is intended to balance
51 confidentiality with accountability and entrepreneurial utility by exempting proprietary or sensitive
52 information but allowing publication of de-identified data in materials, reports, and statistics.

53 (3) Reports, summaries, statistics, and materials developed in whole or in part with data,
54 reports, records, resources, educational items, and other information or materials provided to the
55 Office of Entrepreneurship may be made available to entrepreneurs, startups, scale-ups, state
56 agencies, and entrepreneurial support organizations, for the purposes set forth in this article.

57 (e) Once established, the Office of Entrepreneurship shall provide entrepreneurs, startups,
58 and scale-ups, with a response to inquiries or requests for assistance within its purview no later
59 than 48 hours of receipt, or by the close of the next business day therefrom: *Provided*, That for
60 inquiries or requests for assistance that objectively require a longer response time due to
61 complexity or subject matter, the Office shall provide an initial response with an estimate of the
62 delivery date for the final response.

63 (f) Within 48 hours of a request by the Office of Entrepreneurship, or on the next business
64 day therefrom, a state agency shall designate an individual as the point of contact for all inquiries
65 by the Office of Entrepreneurship, along with that individual's name, email address, and direct
66 phone number.

67 (g) On or before November 1 of each year beginning two years after the creation of the
68 Office of Entrepreneurship, and annually thereafter, the Office of Entrepreneurship shall provide a
69 report to the Joint Standing Committee on Economic Development that includes:

70 (1) A summary of work accomplished in support of growing entrepreneurship in the state,

which shall include a report on where West Virginia falls in national entrepreneurial and startup rankings, a comparison of peer states based on population and geography, and identification of drivers of performance;

(2) A summary of events hosted and attended to promote entrepreneurship and business growth in collaboration with state agencies and entrepreneurial support organizations;

(3) The number of startups and other relevant business organizations with associated data regarding their operations, activities, and likelihood of viability in the state;

(4) Policy recommendations for improving entrepreneurship in the state, including identifying regional challenges to entrepreneurship and solutions to increase the viability of startups in the state in coordination with state agencies and entrepreneurial support organizations; and

(5) Any additional information deemed necessary to provide an accurate depiction of the condition of entrepreneurship in the state.

(h) The Office of Entrepreneurship shall develop a first-year implementation plan outlining the intake, referral, and tracking processes with the assistance of government and non-government entities including but not limited to the Small Business Development Center, West Virginia One Stop Business Center, and entrepreneurial support organizations.

(i) The Office of Entrepreneurship created herein is intended to fulfill a complimentary role to existing state agencies and nothing in this article shall be construed to duplicate or supplant existing statutory duties or responsibilities of any state agency.

§5B-2P-2. Office of Entrepreneurship Fund; Appropriation; Full-Time Equivalent Positions;

<u>Revenue</u>	<u>Generation;</u>	<u>Rulemaking</u>	<u>Authorization.</u>
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(a) There is created in the State Treasury a special revenue account to be designated the "West Virginia Office of Entrepreneurship Fund" administered by the Secretary of State. Expenditures from the fund are to be made in accordance with the purposes provided in this article.

5 (b) Beginning July 1, 2026, and again thereafter on July 1, 2027, there is to be appropriated
6 out of the moneys in the General Revenue Fund in the State Treasury the annual sum of \$175,000
7 to the West Virginia Office of Entrepreneurship Fund.

8 (c) The Office of Entrepreneurship is authorized to design and offer events, publications,
9 products, programs, and services at reasonable fees to generate revenue to fund the activities of
10 the Office of Entrepreneurship: *Provided*, That government liaison services shall remain available
11 to all entrepreneurs, startups, and scale-ups, at no cost.

12 (d) The Secretary of State is authorized to promulgate legislative rules to make effective
13 the provisions of this article.

NOTE: The purpose of this bill is to create the office of entrepreneurship, provide for legislative oversight, authorize rulemaking authority, create an associated fund, and to provide an appropriation.

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