

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 5347**

By Delegates Hillenbrand and Funkhouser

[Introduced February 09, 2026; referred to the  
Committee on Government Organization]

1 A BILL to amend and reenact §8-15-8a of the Code of West Virginia, 1931, as amended, relating to  
 2 eligibility requirements for allocation from the Fire Protection Fund; adding a requirement  
 3 for membership in good standing with the West Virginia State Firemen's Association;  
 4 defining "good standing"; and specifying compliance with applicable federal and state  
 5 laws.

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

**ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL  
 SERVICE FOR PAID FIRE DEPARTMENTS §8-15-8A. ELIGIBILITY FOR  
 ALLOCATION FROM MUNICIPAL PENSIONS AND PROTECTION FUND AND  
 THE FIRE PROTECTION FUND.**

**§8-15-8a. Eligibility for allocation from municipal pensions and protection fund and the Fire  
 Protection Fund.**

1 (a) In order to be eligible to receive revenues allocated from the municipal pensions and  
 2 protection fund or the Fire Protection Fund, each volunteer or part volunteer fire company or  
 3 department must meet the following requirements:

- 4 (1) Submit and maintain current submission of fire loss data to the State Fire Marshal;
- 5 (2) Complete or be in the process of receiving firefighters training, including section one of  
 6 the West Virginia University fire service extension or its equivalent. The fire company or  
 7 department must have at least ten members certified as having completed the training or if a  
 8 volunteer fire company or department has twenty or fewer members, fifty percent of the active  
 9 volunteer members must have completed such training; and

10 (3) Comply with all applicable federal and state laws, including, but not limited to, the  
 11 National Fire Protection Association (NFPA) standards, Occupational Safety and Health  
 12 Administration (OSHA) regulations, and West Virginia Code Chapter 29A regarding state  
 13 administrative procedures; and

14           (4) Shall be a member of the West Virginia State Firemen's Association with the following  
15 conditions:

16           (a) A current membership without outstanding dues exceeding 90 days, and

17           (b) Not under any active suspension or expulsion by the Association.

18           ~~(b)(c)~~ Each volunteer or part volunteer fire company or department shall have a grace  
19 period of ninety days, beyond the allocation date in which to comply with submission requirements  
20 to the State Fire Marshal. The State Fire Marshal shall notify each volunteer or part volunteer fire  
21 company or department of the due date for submitting the information required by this section and  
22 the grace period by certified mailing requiring signature and a return receipt.

23           ~~(e)(d)~~ When the records or property of a volunteer or part volunteer fire company or  
24 department are destroyed by a fire or other natural disaster, then the affected volunteer or part  
25 volunteer fire company or department is exempt from the provisions of subdivision (1) and (4),  
26 within subsection (a) of this section, for the ~~three months~~ 90-day period immediately following the  
27 destruction of the records.

NOTE: The purpose of this bill is to add a requirement that volunteer or part volunteer fire companies or departments must be members in good standing with the West Virginia State Firemen's Association to be eligible for revenues from the Fire Protection Fund, to objectively define "good standing", and to specify compliance with applicable federal and state laws.

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