

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5445

FISCAL
NOTE

By Delegate Akers

(By Request of the Department of Homeland Security

– Emergency Management Division)

[Introduced February 11, 2026; referred to the Committee

on the Judiciary]

1 A BILL to amend and reenact §15-14-7 of the Code of West Virginia, 1931, as amended, relating to
2 revising the statute authorizing the West Virginia Division of Homeland Security and
3 Emergency Management to run background checks on persons applying to be a Statewide
4 Interoperable Radio Network ("SIRN") Radio Programmer and on persons seeking
5 approval to work in SIRN network facilities; and explaining the requirements of submitting
6 to the background checks.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. THE STATEWIDE INTEROPERABLE RADIO NETWORK.

**§15-14-7. Maintenance and Operations of the Statewide Interoperable Network; personnel;
assets; agreements.**

1 (a) The director may employ such technical, clerical, legal counsel, stenographic and other
2 personnel, fix their compensation and make expenditures within the appropriation to the agency or
3 from other funds made available for the purpose of providing interoperable communications
4 services to carry out the purpose of this article.

5 (b) All equipment, structures, property, and personnel along with their equipment and
6 vehicles, owned, managed, directed, controlled, and governed by the Department of Health
7 associated with the statewide interoperable radio and/or microwave network and medical
8 command radio system, are transferred to, incorporated in and administered as a part of the
9 WVDHSEM: *Provided*, That medical command radio system communication equipment, not
10 including the microwave and SIRN equipment, and personnel located in the medical coordination
11 center at Flatwoods, West Virginia shall continue to be managed, directed, controlled, and
12 governed by the Department of Health and are not included in the transfer authorized by this
13 subsection.

14 (c) The director may acquire in the name of the state by purchase, lease or gift, real
15 property and rights or easements necessary or convenient to construct thereon the necessary
16 building or buildings for housing Radio Network employees, equipment or infrastructure.

17 (d) The director or his or her designee may enter into cooperative agreements, land and
18 tower leases, memorandums of understanding/agreement, training contracts or service contracts
19 with political subdivisions of the state, other states, federal agencies, and with public or private
20 agencies for use by the radio network.

21 (e) The WVDHSEM is exempt from the requirements and associated fees of any local
22 ordinances of any political subdivision of the state relating to the construction of towers or other
23 infrastructure for use by the Radio Network to enhance interoperable communications.

24 (f) The WVDHSEM shall support a unified approach to interoperable communications
25 across state, county, and municipal government, to include:

26 (1) Providing ongoing assistance and support to the state's Medical Command System;
27 and

28 (2) Providing ongoing assistance and support to state agencies in the development of
29 interoperable and emergency communications plans or projects.

30 (g) Persons applying to be a Statewide Interoperable Radio Network ("SIRN") Radio
31 Programmer and persons seeking approval to work in SIRN network facilities must submit to a
32 state and national criminal history check to protect the security and integrity of the SIRN radios and
33 network infrastructure as the SIRN is critical to all first responders and other government agencies
34 utilizing SIRN for not only radio communications, but also other network traffic traversing the SIRN
35 microwave network.

36 (1) The criminal history record check must be based on fingerprints submitted to the West
37 Virginia State Police or its assigned agent for forwarding to the Federal Bureau of Investigation.

38 (2) The applicant shall meet all requirements necessary to accomplish the state and
39 national criminal history record check.

40 (3) The results of the state and national criminal history record check may not be released
41 to or by a private entity except:

42 (A) To the individual who is the subject of the criminal history record check;

- 43 (B) With the written authorization of the individual who is the subject of the criminal history
44 record check; or
- 45 (C) Pursuant to a court order.
- 46 (4) The criminal history record check and related records are not public records for the
47 purposes of W. Va. Code §29B-1-1 et seq. of this code.
- 48 (5) The applicant shall pay the actual costs of the fingerprinting and criminal history record
49 check.

NOTE: The purpose of this bill is to authorize the West Virginia Division of Homeland Security and Emergency Management to run background checks on persons applying to be a Statewide Interoperable Radio Network ("SIRN") Radio Programmer and on persons seeking approval to work in SIRN network facilities.

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