

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5580

By Delegate Lewis

[Introduced February 16, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §24-6-8 of the Code of West Virginia, 1931, as amended, relating to
 2 liability of the local emergency telephone systems; excepting gross negligence from
 3 immunity; and adding immunity protection to referrals to the national 988 hotline.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.

§24-6-8. Limitation of liability.

1 (a) A public agency or a telephone company participating in an emergency telephone
 2 system or a county which has established an enhanced emergency telephone system, and any
 3 officer, agent or employee of the public agency, telephone company or county is not liable for
 4 damages in a civil action for injuries, death or loss to persons or property arising from any act or
 5 omission, except gross negligence, willful or wanton misconduct, in connection with developing,
 6 adopting or approving any final plan or any agreement made pursuant to this article, or otherwise
 7 bringing into operation or participating in the operation of an emergency telephone system,
 8 referrals to the national crisis hotline, or an enhanced emergency telephone system pursuant to
 9 this article.

10 (b) "National crisis hotline" means the telephone or text access number "988" or its
 11 successor that is designated as the national mental health hotline administered pursuant to 42
 12 USC 290bb-36c.

NOTE: The purpose of this bill is to provide immunity for local emergency telephone systems for referral to the national mental health hotline known as "988" and removing acts gross negligence from immunity protection.

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