

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 5646**

**FISCAL  
NOTE**

By Delegate Eldridge

[Introduced February 17, 2026; referred to the  
Committee on Government Organization]

1 A BILL to amend and reenact §29-31-13 of the Code of West Virginia, 1931, as amended, relating  
 2 to the state resiliency and flood protection plan act; providing legislative findings; raising  
 3 the amount of money for the Flood Fund to \$250 million; providing \$1 million for the  
 4 Disaster Recovery Trust Fund; and allocating money to the Disaster Recovery Trust Fund  
 5 from the Revenue Shortfall Fund.

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

**ARTICLE 31. STATE RESILIENCY AND FLOOD PROTECTION PLAN ACT.**

**§29-31-13. Capitalization of the West Virginia Flood Resiliency Trust Fund.**

1 (a) The West Virginia Flood Resiliency Trust Fund may be granted an ~~initial a one-time~~  
 2 allocation of ~~\$40~~ \$1 million in state general funds for the purposes outlined in this article. Whereas  
 3 the severe flooding events from 2024-2025 have damaged or destroyed 7.368 households,  
 4 properties, and bridges. Therefore, the Legislature finds that the use of the funds from the  
 5 Revenue Shortfall Fund are appropriate to address the disaster damages of these households. An  
 6 allocation of \$1 million from the Revenue Shortfall Fund established pursuant to §11B-2-20 of the  
 7 code may be deposited into the Disaster Recovery Trust Fund. This appropriation shall provide  
 8 funding for two years for Disaster Care Management and direct assistance for recovery costs for  
 9 the 2024-2025 disaster events.

10 (b) The State Resiliency Officer shall, with the concurrence of the State Auditor, present an  
 11 expenditure report to the State Resiliency Office Board by no later than December 1 annually.

12 (c) Upon review and verification by the State Resiliency Office Board that all expenditures  
 13 within the West Virginia Flood Resiliency Trust Fund expenditure report are valid and justified uses  
 14 of Flood Fund resources, the State Resiliency Office Board shall submit to the Governor by no  
 15 later than December 31 annually a budget and may request to replenish the Flood Fund up to its  
 16 ~~initial \$40~~ \$250 million capitalization.

17 (d) Upon state receipt of Community Development Block Grant-Disaster Recovery funds in  
 18 relation to a flood disaster event, and in order to provide the state with the flexibility required to

19 provide assistance to any person, political subdivision, or local organization recovering from the  
20 flood disaster event, a minimum of six percent of those funds shall be dedicated for the purposes  
21 of Flood Resiliency Plan development and implementation activities to the extent that those  
22 purposes are in compliance with applicable federal laws and regulations governing such funds  
23 and compatible with the state's long-term recovery goals.

NOTE: The purpose of this bill is to jumpstart the state's State Resiliency and Flood Protection Act to allow the Resiliency Office to begin the work off assisting areas of the state prone to flooding to undertake actions to reduce or prevent future flooding.

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