

# **SWEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 506**

By Senators Taylor and Smith (Mr. President)

[Introduced January 19, 2026; referred  
to the Committee on Government Organization]

1 A BILL to amend and reenact §7-1-3k of the Code of West Virginia, 1931, as amended, relating to  
2 permitting county commissions to lease, rent, or permit the use of county-owned wireless  
3 towers or any portions thereof to any entity or entities meeting certain criteria, with  
4 equipment and systems meeting minimum requirements, and for purposes not prohibited;  
5 and prohibiting county commissions from levying charges for use of county-owned  
6 wireless towers or any portions thereof by public safety operations, the West Virginia  
7 Division of Highways, or any other state agencies provided the same requirements are met  
8 as for other applicants.

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

## **ARTICLE 1. COUNTY COMMISSIONS GENERALLY.**

### **§7-1-3k. Authority to lease, rent or permit the use of county property.**

1 (a) The county commission of each county is authorized to lease, rent, or to permit the use  
2 of county-owned buildings, lands and other properties or any portion thereof by nonprofit  
3 organizations. Authorized uses pursuant to this section shall include the granting of meeting  
4 places, service outlets and operational headquarters for organizations established within the  
5 county.

6 (b) Notwithstanding the provisions of subsection (a) of this section, the county commission  
7 of each county is authorized to lease, rent, or permit the use of county-owned wireless towers,  
8 including but not limited to those subject to §11-15-30, §24-6-2, and §24-6-6b of this code, or any  
9 portions thereof to any entity or entities: *Provided, That*

10 (1) No entity or entities leasing, renting, or permitting the use of county-owned wireless  
11 towers or any portions thereof may be directly or indirectly associated with any person or entity  
12 connected to:

13 (A) The list of persons determined to be foreign adversaries by the Secretary of Commerce  
14 of the United States under 15 C.F.R. 791.4;

15 (B) The terrorist exclusion list compiled by the Secretary of State of the United States in

16 consultation with the Attorney General of the United States under 8 U.S.C. 1182;

17 (C) The list of countries determined by the Secretary of State of the United States that have  
18 repeatedly provided support for acts of international terrorism under 50 U.S.C. 4813(c) and 22  
19 U.S.C. 2780(d);

20 (D) The list of individual and entities designated by, or in accordance with Executive Order  
21 13224, issued by the President of the United States on September 23, 2021, or Executive Order  
22 13268, issued by the President of the United States on July 2, 2002; and

23 (2) Any entity or entities leasing, renting, or permitting the use of county-owned wireless  
24 towers or any portions thereof shall be prohibited from engaging in unconstitutional surveillance  
25 activities or other actions that would pose a likely risk of violating the constitutional rights and  
26 liberties of citizens; and

27 (3) Any entity or entities leasing, renting, or permitting the use of county-owned wireless  
28 towers or any portions thereof shall utilize non-compromised cellular and/or cyber security  
29 defense measures to protect both private and public utilization and shall utilize no technology or  
30 system that could threaten critical infrastructure, including but not limited to voting and election  
31 management systems, and if any technology does connect to voting or election management  
32 related systems; such technology may not incorporate hardware or software that is designed,  
33 produced, owned, or licensed by an entity that is owned, operated, or majority-controlled by a  
34 foreign company or a domestic company registered in another country, including a domesticated  
35 foreign corporation, or by a person who is not a United States citizen or is produced, in whole or in  
36 part, including software, hardware, equipment, and any other accessories, in a foreign country;  
37 and

38 (4) County commissions may permit any of the following state, county or local entities to  
39 use tower space but may not impose a charge for doing so: (A) public safety operations, including  
40 911, law enforcement, ambulance, rescue, and firefighting, (B) the West Virginia Department of  
41 Highways, and (C) any other state agencies so long as the permitted uses meet all the

42 requirements set forth in §7-1-3k(b)(1), (2), and (3) of this code.

43 (c) Each county commission is authorized to charge and collect fees for uses of county  
44 properties pursuant to this section. In addition, each county commission is empowered to  
45 promulgate rules and regulations in order to carry out the provisions of this section within the  
46 county.

47 (d) The allocation of county properties for use by organizations shall be controlled either by  
48 the county commission or, optionally, by a panel which may be appointed by the commission for  
49 this purpose. Any panel appointed pursuant to this section shall consist of not less than three nor  
50 more ~~that~~ than five members who shall serve at the will and pleasure of the commission. All  
51 decisions of a panel, if one is appointed, shall be subject to review by the county commission.

52 (e) If a panel is appointed pursuant to this section, each member shall be a resident of the  
53 county in which the panel sits. A majority of the panel shall constitute a quorum for the transaction  
54 of business, and all matters shall be decided by the majority vote of those members present at a  
55 meeting. Each panel is authorized to select from among its members one secretary, who shall  
56 keep a record of all proceedings, and one chairman. A member may be entitled to reimbursement  
57 for all reasonable and necessary expenses actually incurred in the performance of his or her  
58 duties.

NOTE: The purpose of this bill is to permit county commissions to lease, rent, or permit the use of a county owned wireless tower or any portions thereof, with exceptions.

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