

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 769

**FISCAL
NOTE**

By Senator M. Maynard

[Introduced February 5, 2026; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §22-37-1, §22-37-2, §22-37-3, §22-37-4, §22-37-5, §22-37-6, and §22-37-7,
3 relating to litter control and environmental cleanup; providing a short title; providing a
4 purpose; clarifying the responsibilities of certain state agencies and local authorities;
5 providing funding eligibility for counties if certain requirements are met; clarifying litter
6 control officer authority in issuing citations and fines; authorizing the State of West Virginia
7 to issue a request for proposal; providing responsibilities for contractors; providing funding
8 and implementation; requiring annual reports; and providing an effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 37. LITTER CONTROL AND ENVIRONMENTAL CLEANUP ACT.

§22-37-1. Short title.

1 This article shall be known as the "West Virginia Litter Control and Environmental Cleanup
2 Act."

§22-37-2. Purpose.

1 The purpose of this article is to enhance litter control efforts across the state by integrating
2 the resources of the West Virginia Department of Environmental Protection, the West Virginia
3 Department of Transportation, and the county solid waste authorities, while also ensuring the
4 cleanup of illegal dumps, roadways, streams, creeks, and rivers through a competitive contract
5 with a nonprofit independent contractor.

§22-37-3. Responsibilities of state agencies and local authorities.

1 Responsibilities of state agencies and local authorities:
2 (1) The West Virginia Department of Environmental Protection shall:
3 (A) Oversee statewide litter control efforts, including coordination with other agencies;
4 (B) Conduct enforcement of existing litter laws and enforcement of penalties for illegal
5 dumping as provided in the code;
6 (C) Provide funding and support for counties with Litter Control Officers; and

7 (D) Collect data on litter control efforts and submit an annual report to the Legislature every
8 July 1, beginning on July 1, 2027.

9 (2) The West Virginia Department of Transportation shall:

10 (A) Ensure that all state-maintained highways and roadways are regularly cleared of litter;

11 (B) Implement litter prevention signage and educational campaigns; and

12 (C) Coordinate with the Department of Environmental Protection and the nonprofit
13 contractor for major cleanup projects.

14 (3) The county solid waste authorities shall:

15 (A) Assist in the enforcement of litter and waste disposal laws at the county level;

16 (B) Maintain a record of illegal dump sites and coordinate cleanups; and

17 (C) Support counties that have Litter Control Officers with enforcement and education.

§22-37-4. Litter control officers.

1 (a) Counties that employ Litter Control Officers pursuant to §7-1-3ff shall be eligible for
2 funding assistance through the Department of Environmental Protection to enhance enforcement
3 and cleanup efforts.

4 (b) Litter Control Officers have the authority to issue citations and fines for littering and
5 illegal dumping as provided in §7-1-3ff.

§22-37-5. Request for proposal for statewide cleanup services.

1 (a) The State of West Virginia, through the Department of Environmental Protection, shall
2 issue a Request for Proposal for a nonprofit independent contractor to conduct statewide cleanup
3 operations.

4 (b) The selected contractor shall be responsible for:

5 (1) Cleaning illegal dumpsites across the state;

6 (2) Removing litter from roadways, including state highways and county roads; and

7 (3) Conducting waterway cleanups, including streams, creeks, and rivers.

8 (c) The contract shall be awarded based on efficiency, experience, and cost-effectiveness.

§22-37-6. Funding and implementation.

1 (a) The Department of Environmental Protection and Department of Transportation shall
2 allocate existing litter control funds to support this initiative.

3 (b) Additional funding sources may include grants, fines from litter violations, and private
4 partnerships.

5 (c) An annual audit of program effectiveness shall be conducted and reported to the
6 Legislature every July 1, beginning on July 1, 2027.

§22-37-7. Effective date.

1 This article shall take effect on July 1, 2026.

NOTE: The purpose of this bill is to ensure a coordinated approach to litter control, leverages county resources, and introduces a nonprofit contractor to handle large-scale cleanups.

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