

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

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

(2) The West Virginia Department of Transportation shall:

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

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

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

(3) The county solid waste authorities shall:

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

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

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

§22-37-4. Litter control officers.

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

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

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

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

(b) The selected contractor shall be responsible for:

(1) Cleaning illegal dumpsites across the state;

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

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

(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.