

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Committee Substitute

for

Committee Substitute

for

Senate Bill 878

BY SENATORS QUEEN, BARNHART, AND TAYLOR

[Passed March 13, 2026; to take effect July 1, 2026]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §5B-2P-1 and §5B-2P-2, relating to creating the Office of Entrepreneurship
3 within the Office of the Secretary of State; providing definitions; establishing office purpose
4 and duties; authorizing state agencies to provide certain information to office; authorizing
5 information to be provided; authorizing information to be disclosed pursuant to a
6 confidential agreement; requiring office to respond to requests from businesses within a
7 certain period of time; requiring submission of an annual report containing certain
8 information to the Joint Standing Committee on Economic Development; creating the West
9 Virginia Office of Entrepreneurship Fund; and authorizing rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2P. OFFICE OF ENTREPRENEURSHIP.

§5B-2P-1. Definitions; Office of Entrepreneurship; duties; information; response to inquiries; annual report.

1 (a) Definitions:

2 (1) "Business" means any company, cooperative, corporation, partnership, sole
3 proprietorship, or other legal entity organized or operating for pecuniary or nonpecuniary benefit.

4 (2) "Entrepreneur" means an individual who initiates or leads the formation or growth of a
5 business.

6 (3) "Entrepreneurial support organization" means an entity, including public, private, and
7 academic institutions, that is established, in whole or in part, to provide funding, mentorship,
8 programming, resources, support, or training to entrepreneurs, startups, or scale-ups.

9 (4) "Scale-up" means a startup business that has changed scale to achieve more growth,
10 innovation, and drive job creation, after demonstrating long-term viability of a proven business
11 model evidenced by one or more of the following factors: Substantially increased revenues, an
12 established cash flow, a streamlined marketing and sales operation, or a growth rate of at least
13 20 percent over a three-year period.

14 (5) "Startup" means a business that has been organized for five years or less.

15 (6) "State agency" means an agency of West Virginia including, but not limited to, a board,
16 bureau, commission, department, institution, office, and any other government entity or public
17 body in West Virginia. This term excludes the legislative and judicial branches of state
18 government.

19 (b) There is created the Office of Entrepreneurship within the Office of the Secretary of
20 State. Employees of the Office of Entrepreneurship report to the Secretary of State.

21 (c) The Office of Entrepreneurship shall:

22 (1) Serve as the liaison between entrepreneurs, startups, scale-ups, state agencies, and
23 organizations that support entrepreneurship, to facilitate the navigation and coordination between
24 government requirements and processes, referrals to the appropriate state agencies, and
25 identifying systemic barriers and intergovernmental solutions for purposes set forth in this article;

26 (2) Coordinate with entrepreneurs, startups, and scale-ups to facilitate the efficient
27 completion of state agency prerequisites to starting, conducting, and growing a business in West
28 Virginia;

29 (3) Foster working relationships between government and non-government entities
30 including, but not limited to, the Small Business Development Center, the Department of
31 Commerce, the Economic Development Authority, and entrepreneurial support organizations,
32 when appropriate, to establish a growth-positive foundation for business growth and financial
33 stability;

34 (4) Support the growth of entrepreneurship in the state, including across demographic
35 segments and geographic areas, through the creation of programs, policies, and events; and

36 (5) Be knowledgeable of and make available to entrepreneurs, startups, and scale-ups
37 resources, programs, and opportunities from state agencies and non-governmental entities to
38 support economic growth and business viability.

39 (d) State agencies are authorized to and may provide the Office of Entrepreneurship with
40 data, information, and materials, including, but not limited to, educational information, limited
41 system access, records, reports, resources, statistics, and any other necessary access,
42 information, or materials to fulfil the duties and functions of the Office of Entrepreneurship.

43 (1) A state agency may require a confidentiality agreement between the state agency and
44 the Office of the Secretary of State prior to fulfilling a request by the Office of Entrepreneurship,
45 upon such terms and conditions as the state agency requires.

46 (2) All such data, reports, records, resources, educational items, and other information or
47 materials obtained by the Office of Entrepreneurship under this section shall be exempt from
48 public disclosure under §29B-1-4(a)(5): *Provided*, That such exemption is intended to balance
49 confidentiality with accountability and entrepreneurial utility by exempting proprietary or sensitive
50 information but allowing publication of de-identified data in materials, reports, and statistics.

51 (3) Reports, summaries, statistics, and materials developed by the Office of
52 Entrepreneurship in whole or in part with data, reports, records, resources, educational items, and
53 other information or materials provided to the Office of Entrepreneurship may be made available
54 to entrepreneurs, startups, scale-ups, state agencies, and entrepreneurial support organizations
55 for the purposes set forth in this article.

56 (e) Once established, the Office of Entrepreneurship shall provide entrepreneurs, startups,
57 and scale-ups with a response to inquiries or requests for assistance within its purview no later
58 than 48 hours of receipt, or by the close of the next business day therefrom: *Provided*, That for
59 inquiries or requests for assistance that objectively require a longer response time due to
60 complexity or subject matter, the office shall provide an initial response with an estimate of the
61 delivery date for the final response.

62 (f) A state agency may designate an individual as the point of contact for all inquiries by
63 the Office of Entrepreneurship, along with that individual's name, email address, and direct phone
64 number.

65 (g) On or before November 1 of each year beginning two years after the creation of the
66 Office of Entrepreneurship, and annually thereafter, the Office of Entrepreneurship shall provide
67 a report to the Joint Standing Committee on Economic Development that includes:

68 (1) A summary of work accomplished in support of growing entrepreneurship in the state,
69 which shall include a report on where West Virginia falls in national entrepreneurial and startup
70 rankings, a comparison of peer states based on population and geography, and identification of
71 drivers of performance;

72 (2) A summary of events hosted and attended to promote entrepreneurship and business
73 growth in collaboration with state agencies and entrepreneurial support organizations;

74 (3) The number of startups and other relevant business organizations with associated data
75 regarding their operations, activities, and likelihood of viability in the state;

76 (4) Policy recommendations for improving entrepreneurship in the state, including
77 identifying regional challenges to entrepreneurship and solutions to increase the viability of
78 startups in the state in coordination with state agencies and entrepreneurial support organizations;
79 and

80 (5) Any additional information deemed necessary to provide an accurate depiction of the
81 condition of entrepreneurship in the state.

82 (h) The Office of Entrepreneurship shall develop a first-year implementation plan outlining
83 the intake, referral, and tracking processes with the assistance of government and non-
84 government entities including, but not limited to, the Small Business Development Center, West
85 Virginia One Stop Business Center, and entrepreneurial support organizations.

86 (i) The Office of Entrepreneurship created herein is intended to fulfill a complimentary role
87 to existing state agencies and nothing in this article shall be construed to duplicate or supplant
88 existing statutory duties or responsibilities of any state agency.

**§5B-2P-2. Office of Entrepreneurship Fund; appropriations; revenue generation; rule-
making authorization.**

1 (a) There is created in the State Treasury a special revenue account to be designated the
2 West Virginia Office of Entrepreneurship Fund administered by the Secretary of State.
3 Expenditures from the fund are to be made in accordance with the purposes provided in this
4 article.

5 (b) The Office of Entrepreneurship is authorized to design and offer events, publications,
6 products, programs, and services at reasonable fees to generate revenue to fund the activities of
7 the Office of Entrepreneurship: *Provided*, That government liaison services shall remain available
8 to all entrepreneurs, startups, and scale-ups at no cost.

9 (c) The Secretary of State may propose rules for legislative approval in accordance with
10 the provisions of §29A-3-1 *et seq.* of this code to implement the provisions of this article.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

To take effect July 1, 2026.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2026.

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Governor