

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

**House Bill 4070**

**FISCAL  
NOTE**

By Delegates Crouse and White

[Introduced January 14, 2026; referred to the  
Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §16-3-14, relating to ensuring that all persons who have obtained natural  
3 immunity or antibodies from an infectious or communicable disease are considered to be  
4 vaccinated; and ensuring that those persons are given equal or preferred treatment as  
5 opposed to those who have vaccine induced immunity.

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

**ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER  
INFECTIOUS DISEASES.**

**§16-3-14. Establishing natural immunity as an equal or preferred treatment method to  
vaccine immunization.**

1 All persons who have contracted a communicable or infectious disease and who have  
2 obtained natural immunity shall be classified as fully vaccinated, regardless of whether or not that  
3 person has obtained a vaccine for the illness before or after he or she contracted it. All persons  
4 who have received antibodies as a result of contracting a communicable or infectious disease  
5 shall also be classified as fully vaccinated. All persons who have natural immunity or antibodies to  
6 any communicable or infectious illness shall be treated as equal or preferred to those who have  
7 vaccine induced immunity.

NOTE: The purpose of this bill is to provide equal or preferred treatment to persons who have natural immunity or antibodies from their contraction of an infectious or communicable disease as opposed to persons who have vaccine induced immunity.

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