WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4495

By Delegates Amos and Heckert

[Introduced January 19, 2026; referred to the

Committee on Health and Human Resources then the

Judiciary]

1   A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,

2   designated §8-40-1, relating to providing municipalities with the authority to regulate sober

3   living housing within the cities, and requiring that applications must be submitted and

4   approved by the city prior to the facility commencing its operations.

Be it enacted by the Legislature of West Virginia:

ARTICLE   40.   SOBER   LIVING   RESIDENCES.

§8-40-1. Municipalities and sober living residences; authority, requirements.

1   (a) Any sober living or other recovery residence, as defined by §16-59-1 of this code, that is

2   to be placed within the limits of a municipality within this state, must apply for permission from the

3   municipality and receive that permission from the municipality after the recovery residence or

4   sober living facility has received certification under §16-59-2 of this code.

5   (b) A municipality may waive or require the voluntary certification for sober living

6   residences listed in §16-59-2 of this code in determining whether to permit a recovery residence to

7   be established within the municipality's limits.

8   (c) A municipality may require renewals and inspections of sober living facilities as it

9   determines.

NOTE: The purpose of this bill is to provide municipalities with the authority to regulate sober living housing within the cities, require that applications must be submitted and approved by the city prior to the facility commencing its operations, granting the municipalities the right to waive or require voluntary certification, and granting municipalities the right to require renewals and inspections of sober living facilities.

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