

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4632

By Delegates Dillon and Anders

[Introduced January 21, 2026; referred to the

Committee on Government Organization]

1 A BILL to amend and reenact §19-13-4 and §19-13-5 of the Code of West Virginia, 1931, as
2 amended, relating to the right to keep bees, limitations on the inspection of apiaries by the
3 Commissioner of Agriculture, and clarifying the circumstances under which the
4 Commissioner of Agriculture may quarantine the bees in an apiary.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13. INSPECTION AND PROTECTION OF AGRICULTURE.

§19-13-4. Registration of bees; identification of apiaries; limitation on liability.

1 (a) All persons keeping bees in this state shall may apply for a certificate of registration for
2 beekeeping from the commissioner, within ten days of the date that bees are acquired, by notifying
3 the commissioner, in writing, of the number and location of colonies they own or rent, or which they
4 keep for someone else, whether the bees are located on their own property or someone else's
5 property. All apiary certificates of registration expire on June 30 of each year and must be renewed
6 annually. Apiary certificates of registration issued in 2017 will be valid through June 30, 2018.

7 (b) All persons owning or operating an apiary which is not located on their own property
8 must post the name and address of the owner or operator in a conspicuous place in the apiary.

9 (c) A person who:

10 (1) Owns and operates an apiary;

11 (2) Is registered with the commissioner; and

12 (3) Operates the apiary in a reasonable manner and in conformance with the West Virginia
13 Department of Agriculture's written best management practices provided by rule, is not liable for
14 any personal injury or property damage that occurs in connection with the keeping and maintaining
15 of bees, bee equipment, queen breeding equipment, apiaries and appliances. The limitation of
16 liability established by this section does not apply to intentional tortious conduct or acts or
17 omissions constituting gross negligence.

18 (d) The commissioner shall promulgate legislative rules in accordance with §29A-3-1, et
19 seq. of this code regarding the best management standards for the operation of apiaries. The

20 limitation on liability contained in subsection (c) shall not take effect until legislative rules are
21 promulgated in accordance with §29A-3-1, *et seq.* of this code.

22 (e) Notwithstanding any other section of code, no municipality or political subdivision shall
23 prevent an individual from operating an apiary on premises owned, rented, or leased by the
24 individual, provided that individual has not entered into any contractual agreements containing
25 provisions to the contrary.

§19-13-5. Right of entry; apiary inspections; quarantines.

1 (a) During reasonable working hours, the commissioner may, with permission of the owner
2 of the apiary, enter upon any premises to access any apiary for the purpose of inspecting or
3 sampling. No person shall obstruct or hinder the commissioner in the consensual discharge of his
4 or her duties.

5 (b) The commissioner shall inspect, as practicable, all colonies of honey bees domiciled
6 within the State of West Virginia. If any honey bee pest is found in the apiary, the commissioner
7 shall immediately notify, in writing, the owner or operator stating the type of honey bee pest and
8 whether it may be successfully treated or not.

9 In cases where the honey bee pest is subject to treatment, the commissioner shall specify
10 and direct the necessary treatment, which will be administered by the owner or operator, within 14
11 days of the date of notice. If not treated, the colonies contained in the apiary in which the honey
12 bee pests are found shall be depopulated without remuneration to the owner. All bee hives and
13 related bee equipment found in any diseased apiary shall be destroyed, sterilized or treated in a
14 manner approved by and under the direction of the commissioner.

15 (c) All apiaries producing queens, packaged bees or nuclei colonies for distribution shall be
16 inspected each year. If honey bee pests are found in the apiary, the commissioner shall
17 immediately notify, in writing, the owner or operator, and thereafter it shall be unlawful for the
18 owner or operator to ship, sell or give away any queen bees, appliances, packaged bees, full
19 colonies or nuclei colonies from the apiary until the honey bee pests have been controlled to the

20 satisfaction of the commissioner.

21 (d) The commissioner shall may quarantine all apiaries, bees, bee equipment, bee
22 products, appliances and premises infected by honey bee pests, when such pests present a clear
23 hazard to humans, livestock, pets, ecosystems, or the public food supply. When quarantine is
24 warranted, within 30 days of the start of the quarantine, commissioner shall issue a public report
25 detailing the circumstances of the hazard giving rise to the quarantine and steps taken toward
26 remediation. Report shall be viewable by a hyperlink placed on the commissioner's public website.

27 The notice of quarantine shall specify the name of the honey bee pest, the premises or apiary
28 quarantined, bee equipment, bee products and appliances regulated and all conditions governing
29 movement. The commissioner may adopt other orders to prevent the introduction of or to contain
30 the spread of honey bee pests that are capable of being transported by bees, appliances or bee
31 equipment. The order shall set forth the conditions governing the movement of the regulated
32 items.

33 The commissioner shall rescind, in writing, quarantines and other orders when he or she
34 determines the need no longer exists.

NOTE: The purpose of this bill is to expand the right to keep bees, place limitations on the inspection of apiaries by the Commissioner of Agriculture, and clarify the circumstances under which the Commissioner of Agriculture may quarantine the bees in an apiary.

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