

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4680

By Delegates Anders, White, Kimble, Kump, Brooks,
Dillon, and Funkhouser

[Introduced January 21, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §15-5-31, relating to ensuring that religious services and houses of worship
3 remain open during any declared state of emergency by the Governor of West Virginia;
4 providing for a cause of action; establishing a two-year statute of limitations to file suit; and
5 providing an effective date.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT.**

<u>§15-5-31.</u>	<u>Religious</u>	<u>Freedom</u>	<u>Protection</u>	<u>Act.</u>
1	(a) <u>Emergencies</u> - Notwithstanding any other provision in this act to the contrary, no order			
2	issued pursuant to the authority granted under §15-5-6, nor any control measure taken under §15-			
3	<u>5-1 et seq.</u> , may do any of the following:			
4	(1) <u>Infringe on the right to assemble to worship according to a person's faith;</u>			
5	(2) <u>Impact the ability to travel to or from a place of worship;</u>			
6	(3) <u>Authorize any adverse action against a religious institution or members of a religious</u>			
7	<u>organization for exercising their religion.</u>			
8	(b) <u>Definition</u> - For purposes of this section, the term "adverse action" shall include the			
9	<u>application of a civil or criminal penalty or the imposition of an administrative sanction.</u>			
10	(c) <u>Cause of action</u> - Any religious institution that suffers any direct or indirect harm as a			
11	<u>result of a violation of this section shall have a private cause of action for injunctive relief,</u>			
12	<u>damages, and any other relief available under law.</u>			
13	(d) <u>Statute of limitations</u> - All civil actions must be initiated within two years after the harm			
14	<u>occurred. Persons or organizations who prevail on a claim brought pursuant to this section shall be</u>			
15	<u>entitled to monetary damages, including for any psychological, emotional, and physical harm</u>			
16	<u>suffered, reasonable attorney's fees and costs, and any other appropriate relief.</u>			

17 (e) *Effective date* - This act shall take effect immediately upon passage.

NOTE: The purpose of this bill is to ensure that protections are in place to protect religious services during a declared state of emergency by the Governor or other declarations by the executive branch that would impose restrictions upon such houses of worship.

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