

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4797

**FISCAL
NOTE**

By Delegates Pinson and Ridenour

[Introduced January 23, 2026; referred to the
Committee on Government Organization then the
Judiciary]

1 A BILL to amend and reenact §2-2-1 and §2-2-1a of the Code of West Virginia, 1931, as amended,
2 relating to creating a new state legal holiday designated First Amendment Freedom of
3 Speech Day and a new state special memorial week designated First Amendment
4 Freedom of Speech Appreciation Week, all collectively to be known as "The Charlie Kirk
5 Memorial First Amendment Freedom Act".

Be it enacted by the Legislature of West Virginia:

**ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF
STATUTES; DEFINITIONS.**

§2-2-1. Legal holidays; official acts or court proceedings.

1 (a) The following days are legal holidays:
2 (1) January 1 is "New Year's Day";
3 (2) The third Monday of January is "Martin Luther King's Birthday";
4 (3) The third Monday of February is "Presidents' Day";
5 (4) The last Monday in May is "Memorial Day";
6 (5) June 20 is "West Virginia Day";
7 (6) July 4 is "Independence Day";
8 (7) The first Monday of September is "Labor Day";
9 (8) Every Friday upon which October 14 falls, or the Friday which first follows October 14 of
10 each year is "First Amendment Freedom of Speech Day";
11 (9) The second Monday of October is "Columbus Day";
12 ~~(9)~~ (10) November 11 is "Veterans' Day";
13 ~~(40)~~ (11) The fourth Thursday of November is "Thanksgiving Day";
14 ~~(14)~~ (12) The day after Thanksgiving Day is "Lincoln's Day";
15 ~~(42)~~ (13) December 25 is "Christmas Day";
16 ~~(43)~~ (14) Any day on which a general, primary or special election is held is a holiday

throughout the state, a political subdivision of the state, a district or an incorporated city, town or village in which the election is conducted;

~~(14)~~ (15) General election day on even years shall be designated Susan B. Anthony Day, in accordance with the provisions of subsection (b), section one-a of this article; and

~~(15)~~ (16) Any day proclaimed or ordered by the Governor or the President of the United States as a day of special observance or Thanksgiving, or a day for the general cessation of business, is a holiday.

(b) If a holiday otherwise described in subsection (a) of this section falls on a Sunday, then the following Monday is the legal holiday. If a holiday otherwise described in subsection (a) of this section falls on a Saturday, then the preceding Friday is the legal holiday: *Provided*, That this subsection (b) shall not apply to subdivisions ~~(13)~~, (14), and (15), and (16) subsection (a) of this section.

(c) Any day or part thereof designated by the Governor as time off, without charge against accrued annual leave, for state employees statewide may also be time off for county employees if the county commission elects to designate the day or part thereof as time off, without charge against accrued annual leave for county employees. Any entire or part statewide day off designated by the Governor may, for all courts, be treated as if it were a legal holiday.

(d) In computing any period of time prescribed by any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code, the day of the act, event, default or omission from which the applicable period begins to run is not included. The last day of the period so computed is included, unless it is a Saturday, a Sunday, a legal holiday or a designated day off in which event the prescribed period of time runs until the end of the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(e) If any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code designates a particular date on,

before or after which an act, event, default or omission is required or allowed to occur, and if the particular date designated falls on a Saturday, Sunday, legal holiday or designated day off, then the date on which the act, event, default or omission is required or allowed to occur is the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(f) With regard to the courts of this state, the computation of periods of time, the specific dates or days when an act, event, default or omission is required or allowed to occur and the relationship of those time periods and dates to Saturdays, Sundays, legal holidays, or days designated as weather or other emergency days pursuant to section two of this article are governed by rules promulgated by the Supreme Court of Appeals.

(g) The provisions of this section do not increase or diminish the legal school holidays provided in section two, article five, chapter eighteen-a of this code.

§2-2-1a. Special memorial days.

(a) The Governor shall, by proclamation, declare the week beginning with the Sunday before Thanksgiving as a special memorial week to be known as Native American Indian Heritage Week.

(b) The first Tuesday after the first Monday of November is designated Susan B. Anthony Day and shall only be a legal holiday in all years ending in an even number. The Governor shall annually issue a proclamation calling on all schools, civic organizations, government departments and citizens to undertake activities on the designated day and surrounding days to pay tribute to the accomplishments of Susan B. Anthony in securing the civil and political rights of all Americans, including securing equal voting rights for women.

(c) The Governor shall, by proclamation, declare the week during which December 7 falls to be a special memorial week, to be known as Pearl Harbor and Military Appreciation week, honoring all West Virginians who fought in World War II and all other military conflicts and shall encourage all municipalities in the state to do the same. The State Department of Education is directed to implement a program involving activities in which students shall participate which shall

15 recognize the contributions West Virginians have made to their country through service in the
16 United States Military.

17 (d) The Governor shall, by proclamation, declare March 30 as a special memorial day to be
18 known as Vietnam Veteran Recognition Day honoring all West Virginians who served in the United
19 States Armed Forces in the Republic of Vietnam during the period beginning February 28, 1961,
20 and ending May 7, 1975, and shall encourage all counties and municipalities in the state to do the
21 same.

22 (e) The Governor shall, by proclamation, declare August 7 as a special memorial day, to be
23 known as Purple Heart Recognition Day, honoring all West Virginians who, while serving in the
24 United States Armed Forces, have been wounded or killed in action and shall encourage all
25 municipalities and counties in the state to do the same.

26 (f) The Governor shall, by proclamation, declare July 27 as a special memorial day to be
27 known as Korean War Veteran Recognition Day honoring all West Virginians who served in the
28 United States Armed Forces in the Korean War, and shall encourage all counties and
29 municipalities in the state to do the same.

30 (g) The Governor shall, by proclamation, declare the first Thursday in May as the West
31 Virginia Day of Prayer. The West Virginia Day of Prayer corresponds with the National Day of
32 Prayer, 36 U.S.C. §119, on which the people of West Virginia may turn to God in prayer and
33 meditation at churches, in groups, and as individuals.

34 (h) The Governor shall, by proclamation, declare November 14 as a special memorial day
35 to be known as Marshall University 75 Memorial Day honoring the 75 persons who were killed in
36 that tragic crash, and shall encourage all counties and municipalities in the state to do the same.

37 (i) The Governor shall, by proclamation, declare:

38 (1) The week during which October 14, the date of Charlie Kirk's birth, falls shall annually
39 be a special memorial week, to be known as First Amendment Freedom of Speech Appreciation
40 Week, for the observation of First Amendment Freedom of Speech Day on October 14 or the

41 Friday first following October 14, for the purposes of confirming, honoring and preserving the first
42 God-given right of all citizens enshrined in the First Amendment of the United States Constitution
43 and in Article III, Section 7 of the Constitution of West Virginia, and the Governor shall encourage
44 all political subdivisions in the state to do the same;

45 (2) The Governor's proclamation shall specifically and expressly recognize the many
46 remarkable achievements in the exercise of free speech and exemplary civil debate achieved by
47 Charles James ("Charlie") Kirk, and the fact that on September 10, 2025 during civic engagement
48 in free speech and debate, an assassin viciously struck down Charlie Kirk's life in a malignant
49 attempt to silence Charlie Kirk's message about the indispensable importance of religious and
50 spiritual freedom, political and economic freedom, and personal moral responsibility and
51 accountability to our free constitutional republic; and

52 (3) The State Department of Education is directed to implement a program involving
53 activities in which students shall participate which and shall recognize the contributions made by
54 Charles James ("Charlie") Kirk and other Americans and West Virginians whose public lives have
55 been dedicated to the First Amendment and to the freedom and free exercise of political speech
56 and debate which is vital and essential to the health, legitimacy and preservation of the free
57 constitutional Republic of the United States and free constitutional State of West Virginia.

58 (4) The changes made to this subsection and to §2-2-1(a)(8) of this code shall be known as
59 "The Charlie Kirk Memorial First Amendment Freedom Act".

NOTE: The purpose of this bill is to create "The Charlie Kirk Memorial First Amendment Freedom Act".

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