

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

**House Bill 4950**

By Delegates Hornby, Crouse, Dean, and Funkhouser

[Introduced; referred

to the Committee on]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §18-36-1, §18-36-2, §18-36-3, and §18-36-4, relating to establishing the West  
3 Virginia Freedom and Innovation Pilot Act of 2026; providing for a short title; providing for  
4 the enactment of the program; and providing for a sunset and review date.

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

**ARTICLE 36. WEST VIRGINIA FREEDOM AND INNOVATION PILOT ACT OF 2026.**

**§18-36-1. Short title.**

1 This article may be known and cited as the "West Virginia Freedom and Innovation Pilot  
2 Act of 2026, hereinafter referred to as "the pilot program."

**§18-36-2. Establishment of pilot program.**

1 (a) Any county in this state may participate in the West Virginia Freedom and Innovation  
2 Pilot Act of 2026, hereinafter referred to as "the pilot program."

3 (b) Any county who chooses to participate in the pilot program shall be funded by a block  
4 grant in the amount of \$5,775 per enrolled student as of December 2025. Additionally, after year  
5 one, a county who participates shall be eligible for a 1% annual increase, on the condition that  
6 enrollment has increased in that county.

7 (c) Any county who participates in the pilot program is not subject to the provisions of §18-  
8 5-18 and §18A-1-1 *et seq.* of this code, including but not limited to staffing ratios, service  
9 personnel quotas, and central salary schedules: *Provided*, That the provisions of the Third Grade  
10 Success Act and any associated provisions with federal implications shall still be followed.

11 (d) Any county who participates in the pilot program shall maintain full authority over their  
12 own salaries, benefits, class sizes, and calendars.

13 (e) The county board's annual cost for the salaries of administrators shall not exceed  
14 seven percent of the overall total annual budget of the county participating in the pilot program. For  
15 the purposes of this section, "administrators" include the county superintendent; deputy,  
16 associate, or assistant superintendents; chief financial officers; administrative assistants;

17 attorneys; directors or managers of instruction; directors or managers of supportive services; chief  
18 school business officials; child nutrition directors; adult program coordinators; principals; assistant  
19 principals; directors and coordinators of services; accounts payable supervisors; payroll  
20 supervisors; supervisors of maintenance; supervisors of transportation; school bus supervisors;  
21 food services supervisors; or any other person performing administrative duties similar to the  
22 foregoing persons.

23 (f) Any county who does not participate in the pilot program shall remain under the current  
24 School Aid Formula.

25 (g) Local shares for benefits shall remain unchanged, including funding for the Public  
26 Employees' Insurance Agency (fund 01200), Teachers' Retirement System (fund 01900), and for  
27 Retirement Systems – Unfunded Liability (fund 77500).

28 (h) This pilot program shall begin on July 1, 2026, and a county may opt into the pilot  
29 program on or after that date.

**§18-36-3. Sunset and review of pilot program.**

1 This pilot program shall be reviewed by the Legislative Oversight Commission on  
2 Education Accountability ("LOCEA") on or before July 1, 2031, where the program shall sunset or  
3 be extended.

NOTE: The purpose of this bill is to establish the West Virginia Freedom and Innovation Pilot Act of 2026. The bill provides for a short title. The bill provides for the enactment of the program. Finally, the bill provides for a sunset and review date.

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