

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 613**

**FISCAL  
NOTE**

By Senator Willis

[Introduced January 27, 2026; referred  
to the Committee on Military; and then to the  
Committee on Finance]

1 A BILL to amend and reenact §15-1F-11 of the Code of West Virginia, 1931, as amended, relating  
2 to capping interest rates on debts of active services members to six percent per annum.

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

**ARTICLE            1F.            PRIVILEGES            AND            PROHIBITIONS.**

**§15-1F-11. West Virginia Servicemembers Civil Relief Act.**

1            (a) This section may be cited as the "West Virginia Servicemembers Civil Relief Act".

2            (b) A member of the West Virginia National Guard called to state active duty by the  
3 Governor for a period of ~~thirty~~ 30 days or more, shall have all of the protections, rights or benefits  
4 that are afforded and may accrue to a person on federal active duty under the provisions of 50  
5 U.S.C. App., §501, *et seq.* as amended by the Servicemembers Civil Relief Act, Pub. L. No. 108-  
6 189 (2003).

7            (c)(1) Notwithstanding any provision of law to the contrary, no creditor in connection with  
8 an obligation entered into on or after July 1, 2026, shall charge or collect from a person, or spouse  
9 of a person, who is on active duty interest or finance charges exceeding six percent per annum  
10 during the period that the person is deployed on active duty.

11            (2) Notwithstanding any provision of law to the contrary, interest or finance charges more  
12 than six percent per annum that otherwise would be incurred but for the prohibition in subsection  
13 (c)(1) of this section are forgiven.

14            (3) The amount of any periodic payment due from a person, or spouse of a person, who is  
15 on active duty under the terms of the obligation shall be reduced by the amount of the interest and  
16 finance charges forgiven under subsection (c)(2) of this section that is allocable to the period for  
17 which the periodic payment is made.

18            (4) In order for an obligation to be subject to the interest and finance charges limitation of  
19 this section, the person, or spouse of the person on active duty, shall provide the creditor with  
20 written notice and a copy of the military or gubernatorial orders calling the person to active duty  
21 and of any orders further extending active duty, not later than 180 days after the date of the

22 person's termination of or release from active duty.

23 (5) Upon receipt of the written notice and a copy of the orders referred to in subsection  
24 (c)(4) of this section, the creditor shall treat the obligation in accordance with subsection (c)(1) of  
25 this section, effective as of the date on which the person is on active duty.

26 (6) A court may grant a creditor relief from the interest and finance charges limitation of this  
27 Section, if, in the opinion of the court, the ability of the person, or spouse of the person, on active  
28 duty to pay interest or finance charges with respect to the obligation at a rate in excess of six  
29 percent per annum is not materially affected by reason of the person's service on active duty.

NOTE: The purpose of this bill is to cap interest rates for debts of active service members at six percent per annum.

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