WEST VIRGINIA CODE: §30-1A-1

§30-1A-1. Legislative findings; policy.

(a) The Legislature finds that regulation should be imposed on an occupation or profession only when necessary for the protection of public health and safety. The Legislature further finds that establishing a procedure for reviewing the necessity of regulating an occupation or profession prior to enacting laws for such regulation and analyzing existing occupational regulations will better enable it to evaluate the need for the regulation and to determine the least restrictive regulation consistent with public health and safety.

(b) For occupational regulations and the boards of this state, it is the policy of this state that:

(1) The right of an individual to pursue a lawful occupation is a fundamental right;

(2) Where the state finds it is necessary to displace competition, it will use the least restrictive regulation to protect consumers from present, significant, and substantiated harms that threaten public health and safety; and

(3) Legislative leaders will assign the responsibility to review legislation and laws related to occupational regulations.

WV Legislature