WEST VIRGINIA CODE: §5-32-1

§5-32-1. Purpose and general application.

(a) The purpose of this article is to:

(1) Reaffirm the longstanding meaning of sex, male, and female in state law.

(2) Preserve women's restrooms, multiple occupancy restrooms or changing rooms, and sleeping quarters for women in facilities where women have been traditionally afforded privacy and safety from acts of abuse, harassment, sexual assault, and violence committed by men.

(3) Bring clarity, certainty, and uniformity to the laws of the state regarding sex discrimination, privacy, equality of the sexes, and benefits or services specifically provided to men and women.

(b) This article shall apply wherever the state or an instrumentality of the state classifies people on the basis of sex or otherwise defines people as being female or male, women or men, girls or boys.

(c) This article shall not be enforced in any manner inconsistent with or in violation of the ruling in Grimm v. Gloucester School Board, 972 F.3d. 586 (4th Cir. 2020). If a decision by the Supreme Court of the United States or by the United States Court of Appeals for the Fourth Circuit overrule or otherwise render the Grimm decision ineffective, then the limitations on enforcement imposed by this subsection shall be considered repealed.

WV Legislature