WEST VIRGINIA CODE: §5-32-8

§5-32-8. Promoting accuracy in sex-based data collection.

(a) Males and females possess unique and immutable biological differences that can manifest in unique risks, harms, or sex-based discrimination, including crime victimhood, access to pregnancy and nursing-related resources, and substance abuse.

(b) To understand and address sex-based differences particularly, data must be accurately collected on the basis of sex. Failure to do so risks improper identification and alleviation of trends and harms affecting citizens of the state.

(c) Any public school, public school district, state institution of higher education, state agency, or subdivision of the state that directly collects vital statistics related to sex or the categories of male and female for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate public health, crime, economic, or other data shall identify each natural person who is part of the collected data set as either male or female as defined in this article.

(d) Compliance with this section shall not require the collection of data related to sex unless otherwise required by law, nor shall it prevent the collection of additional data points other than sex.

WV Legislature