WEST VIRGINIA CODE: §5b-8-3

§5B-8-3. Eligibility.

In order to be eligible for a grant under this article, a small business must satisfy all of the following conditions:

(1) The small business must be a for-profit, West Virginia-based business;

(2) For the Phase I and/or Phase II Matching program the small business must have received a SBIR/STTR Phase I or SBIR/STTR Phase II award from a participating federal agency in response to a specific federal solicitation. To receive the full match for the Phase I award, the small business must also have submitted a final Phase I report, demonstrated that the sponsoring agency has an interest in a Phase II proposal, and submitted a Phase II proposal to the agency; To receive the Phase II match, the small business must have submitted the final progress report to the funding agency;

(3) The small business must satisfy all federal SBIR/STTR requirements;

(4) The small business shall not receive concurrent funding support from other sources that duplicates the purpose of this article;

(5) The small business must certify that at least 51 percent of the research described or to be described in the federal SBIR/STTR Phase II proposal will be conducted in this state and that the small business will remain a West Virginia-based business for the duration of the SBIR/STTR Phase II project; and

(6) The small business must demonstrate its ability to conduct research in its SBIR/STTR Phase II proposal.

WV Legislature