Enrolled

Committee Substitute

for

Senate Bill 154

Senators Jeffries, Baldwin, Stollings, Lindsay, Plymale, Hamilton, and Boso, original sponsors

[Passed March 7, 2019; in effect 90 days from passage]
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[Passed March 7, 2019; in effect 90 days from passage]
AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-13d, relating to the Specialist Nicholas Caleb Jividen Act; authorizing
the use of school facilities for funerals and memorial services; recognizing schools are
integral parts of communities and the death of certain community members can have a
significant impact on communities; requiring county board of education to allow school
facilities use for funeral and memorial services of certain community members; permitting
county boards of education to establish process for requesting the use of school facilities
for funeral and memorial services; providing that county boards of education are not
responsible for additional costs associated with such funeral and memorial services that
are held at school facilities; and prohibiting such funeral and memorial services held at
school facilities from disrupting or interfering with classroom instruction, scheduled school
event or activity, or governmental use.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-13d. Use of school facilities for funeral and memorial services.

(a) Public schools in this state serve as an integral part of the community and the death of
a community member of distinction who was a military service member or veteran who served
under honorable conditions, or who served as a first responder, can have a significant impact on
students and the surrounding community.

(b) Notwithstanding any other provision of this code or any policy currently in place, county
boards of education shall allow school facilities in the county to be used for the funeral or memorial
service, or both funeral and memorial services, of a community member of distinction who was a
military service member or veteran who served under honorable conditions or who served as a
first responder, consistent with this section. County boards may set up a process by which
requests to use school facilities for such purposes may be made. County boards may not be
(c) Any funeral or memorial service held at a school facility may not disrupt or interfere
with classroom instruction, any other scheduled school event or activity, or other official
governmental use, such as when a school serves as a polling place for an election.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]
Chairman, Senate Committee
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

[Signatures]
Clerk of the Senate
Clerk of the House of Delegates
President of the Senate
Speaker of the House of Delegates

The within bill approved this the 25th Day of March, 2019.

[Signature]
Governor
PRESENTEO TO THE GOVERNOR

Time

William