

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

**Enrolled**

### **Senate Bill 231**

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2023 FEB -6 P 4: 16

FILED

BY SENATORS SWOPE, HAMILTON, JEFFRIES, MARTIN,  
NELSON, ROBERTS, RUCKER, TARR, TRUMP, WOELFEL,  
PHILLIPS, CLEMENTS, PLYMALE, AND HUNT

[Passed January 27, 2023; in effect from passage]

SB 231

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FILED

1 AN ACT to amend and reenact §5B-8-1 of the Code of West Virginia, 1931, as amended, relating  
2 to transferring the administration of the West Virginia Small Business Innovation Research  
3 (SBIR) and Small Business Technology Transfer (SBTT) Matching Funds Program from  
4 the Department of Commerce to the Department of Economic Development, including, but  
5 not limited to, the authority to propose legislative rules for promulgation.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 8. SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS  
TECHNOLOGY TRANSFER MATCHING FUNDS PROGRAM.**

**§5B-8-1. Definitions.**

1 When used in this article:

2 "Department" means the West Virginia Department of Economic Development.

3 "SBIR" means the Small Business Innovation Research Program enacted under the Small  
4 Business Innovation Development Act of 1982, Pub. L. 97-219, 15 U.S.C. § 638.

5 "STTR" means the Small Business Technology Transfer Program enacted under the  
6 Small Business Technology Transfer Act of 1992, Pub. L. 102-564, 15 U.S.C § 638.

7 "Small business" means a corporation, partnership, limited liability company, statutory or  
8 common law business trust, sole proprietorship, or individual, operating a business for profit,  
9 which qualifies as a small business and otherwise meets the requirements of the SBIR or STTR  
10 programs.

11 "West Virginia-based business" means a business that has its principal place of business  
12 in this state.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

*Joe Lamm*  
Clerk of the Senate

*Steve Morris*  
Clerk of the House of Delegates

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2023 FEB -6 P 4:16

FILED

Originated in the Senate.

In effect from passage.

*Cy Pies*  
President of the Senate

*Don Hank*  
Speaker of the House of Delegates

The within is *is approved* this the *6th*  
Day of *February* 2023.

*James Owens*  
Governor

PRESENTED TO THE GOVERNOR

FEB 1 2023

Time 11:15am