

2026 WEST VIRGINIA

Legislative Session Report



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Community Associations Institute (CAI) spent this legislative session advocating on behalf of approximately [73,000 West Virginians who live in 31,000 homes in fewer than 1,000 community associations](#) across the Mountain state.

Grassroots Advocacy Overview

CAI's advocacy success is a direct result of CAI's member advocates consistency engaging in grassroots advocacy campaigns to influence legislative decision making. Members of CAI's newest chapter-in-organization, West Virginia, held its second annual advocacy day on March 4 in Charleston. CAI members were well-represented by homeowner leaders, managers, management company representatives, attorneys, and bankers to promote CAI's new chapter to state legislators and educate them on the resources CAI can provide to their offices and staff. [Learn more about CAI's newest chapter-in-organization.](#)

Legislative Overview

West Virginia's 2026 legislative session began on January 14 and concluded on March 14. In West Virginia, bills are introduced, referred to committees for study, and voted on by both houses over a 60-day session. Bills must pass both chambers in identical form before being sent to the Governor for approval or veto. During the 2026 session, 304 bills were passed both chambers and sent to the governor, who has until April 1 to sign or veto them. [Learn more about how laws are created in West Virginia.](#)

CAI supports legislation that aligns with [these public policy positions](#). In 2026, CAI monitored over 50 pieces of legislation with the potential to impact the community association industry in West Virginia. Below is a brief overview:

CAI OPPOSED THE BELOW BILLS

SB 411 and SB 1072 – WV Land Use Association

CAI **opposed** these bills, which would have established the West Virginia Land Use Association.

SB 1072 would have established the WV Land Use Association Responsibility Act, requiring land use associations to register annually with the Secretary of State and maintain liability insurance of at least \$200,000. This coverage would have been required to include coverage for losses or occurrences for which members of the LUAs or common interest communities may bring legal suit against the land use association as an entity, its board members, or property managers.

Rather than a state-imposed mandate of a specific insurance amount, CAI's [public policy on risk management and insurance](#) states that governing boards, working with association professionals, must develop a comprehensive risk management and insurance program to minimize the adverse financial and related consequences of accidental loss and to help protect homeowner investment in their homes. To ensure there is a comprehensive approach, this program should be based on certain risk management principles and anchored in the governance, legal, lender, and related requirements. Further, this program requires analytical efforts for determining values at risk, obtaining special coverage features, and properly allocating risk between the association and the homeowner.

The West Virginia Land Use Association Division established under this legislation would have been authorized to take legal action against registered land use associations or their board members for violations of applicable articles of incorporation, bylaws, rules and regulations, and declaration of covenants, conditions, and restrictions (CC&Rs). It also would have created an alternative dispute resolution (ADR) process for disputes between land use associations, their board members, property managers and property owners.

CAI recognizes the need for and supports the use of fair alternative dispute resolution mechanisms to resolve disputes arising in community associations, particularly in appropriate cases where such measures can facilitate efficient and equitable resolution. Rather than a state-run ADR system like that proposed in this bill, [CAI's public policy](#) encourages community association board members to design ADR procedures most appropriate for the community's needs in resolving disputes, subject to state law, including any provisions that may be required within the community's governing documents. Considerations for those procedures should focus on providing a neutral forum that encourages fact-finding and results in a timely, cost-effective resolution. This position is

rooted in understanding that no one community is the same and a genuine interest in making the ADR procedure accessible and affordable to all owners.

This legislation also raises concerns about privacy, as community associations would have been required to register annually with the Office of Secretary of State (SOS). The forms submitted by associations would then be public on the SOS website for at least two years and the forms and information would be maintained in a searchable database for not less than 10 years.

Although CAI agrees with the bill author's intended goal of enhancing transparency and protecting property owners' rights, SB 1072 creates an unnecessarily burdensome framework in an area that already struggles with limited participation and volunteer engagement. As currently written, the bill is likely to discourage volunteer involvement rather than strengthen community governance for West Virginia community associations.

Status: Bills died - In Senate Judiciary committee at the end of session.

SB 227 – Creating Nonprofit Transparency and Accountability Act

CAI **opposed** this legislation, which would have subjected all nonprofit corporations in West Virginia which receive any part of their total operating funds from direct public sources, whether through state or federal appropriations, to Freedom of Information Act requests. Under this legislation, community association would have had the responsibility to respond to said requests under the same requirements as a public body. This bill would have impacted other groups beyond community associations, causing widespread chaos and confusion for organized groups statewide.

Status: Bills died - In Senate Government Organization committee at the end of session.

CAI SUPPORTED THE BELOW BILLS

SB 146 – Uniform Unlawful Restriction in Land Records Act

CAI **supported** this legislation, which allows property owners and governing bodies of associations to amend land records to remove unlawful restrictions in real estate documents that discriminate based on race, color, religion, national origin, sex, familial status, disability, or other personal characteristics without requiring a vote from association members.

CAI supports SB 146 as introduced, as it preserves the ability of community associations to effectively self-govern and allows for an expedited removal process for discriminatory

restrictive covenants in alignment with its [public policy on Amendment Process to Remove Discriminatory Restrictive Covenants](#). CAI submitted a letter to the Members of the West Virginia Senate Judiciary Committee to express support for this bill.

The bill was **successfully reported do pass** by the Senate Government Organization committee before being sent to the Judiciary committee, where it ultimately died. CAI will continue to advocate for this legislation during future sessions.

Status: Bill died – In Senate Judiciary committee at the end of session.

HB 4498 – Relating to clarifying the Right to Farm Act relating to residential agricultural operations and the protection of agriculture through Urban Beekeeping

CAI **supported** this legislation, which clarifies the Right to Farm Act by emphasizing urban horticulture and beekeeping within West Virginia, aiming to support residential agricultural operations and agritourism. It establishes standards and regulations for urban beekeeping, including hive placement, registration requirements, and swarm management. The legislation specifically does not override or pre-empt existing community association bylaws restricting beekeeping. This legislation aligns with CAI's [public policy on government regulation of community associations](#), which states that governance should be allowed to occur at the lowest possible level, and legislative bodies and regulatory agencies should acknowledge the right of self-determination by owners who elect willing and able volunteers who typically have a substantial vested interest in their own communities.

Status: Bill died - In House Government Organization committee at the end of session.

CAI MONITORED THE BELOW BILLS

SB 407 - Allowing Orphan Roads to Be Upgraded by Certain Entities

CAI **monitored** this legislation, which would have authorized homeowners' associations in West Virginia to improve public and/or abandoned road systems. The legislation was intended to enable the West Virginia Division of Highways to collaborate with homeowners' associations or similar entities to upgrade "orphan roads," which are publicly accessible roads not maintained by any governmental body and lacking private ownership for maintenance. This process requires that upgrades follow road maintenance agreements and adhere to specific engineering, safety, and construction standards approved by the division. After upgrades are completed and compliance is certified, the improved roads would have been integrated into the state road system for maintenance.

Status: Bill died - In Senate Transportation and Infrastructure committee at the end of session.

SB 982 – Creating Neighborhood Access Road Program

CAI **monitored** this legislation, which creates the Neighborhood Access Road Program, administered by the Division of Highways, to improve public access roads serving residential neighborhoods in West Virginia. The legislation establishes a dedicated fund for the improvement or reconstruction of public access roads serving at least 20 residential units and prohibits using funds for private roads, routine maintenance, or roads serving only commercial/industrial sites.

This legislation does not provide funding or support for roads owned or maintained by community associations in West Virginia, prohibiting program funds from being used for "private roads, gated roads, or roads owned or maintained by a homeowners' association." The focus is strictly on public access roads serving eligible residential neighborhoods that are part of the public road system. HOA roads remain ineligible for state-funded improvements under this new program.

Status: Approved by Governor 3/19/2026

Get Involved in CAI's West Virginia Advocacy Work through Your Local Chapter-in-Organization!

In addition to strong and effective advocacy work in Charleston, CAI's West Virginia Chapter-in-Organization provides information, resources, education programs and best practices designed to help you and your communities throughout West Virginia thrive.

Not a member yet? Join a growing global network of more than 51,000 community managers, management company executives, homeowner leaders, and business partners, and open up a world of opportunities for professional growth, networking and industry knowledge.

Learn more and join today at <https://www.caionline.org/>.

**[View Photos of CAI Advocates in Action
in West Virginia -->](#)**



Track WV Legislation

CAI keeps track of legislation throughout the year, so you can stay informed. You can check the legislation that CAI is monitoring around the clock [here](#).

CAI WV Legislative Resources and Chapter Contact Information

[West Virginia Legislative Resources](#)
CAI West Virginia Chapter-in-Organization
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CAI depends on professional lobbyists funded by community associations, businesses, and individuals to create the best public policy for the community association industry in West Virginia and across the country. [Learn More & Donate Today](#) by Selecting “Issues Advancement Fund.”

Review CAI's Public Policy Positions



Help Shape Future Legislation

Join our CAI Advocacy Ambassador program and become a part of the movement to create positive change. Your voice matters, so sign up now to make your mark!



www.caionline.org/Ambassadors