

# Senate Bill 171 - Not What You Think It Is

## S.B. 171 is NOT about:

- Zoning or land use regulation – that is authorized in §8A
- Protecting local farms from urban development or over-regulation
- Protecting property rights of West Virginia farmers with expansion of “right to farm”

## S.B. 171 IS about:

- Eliminating the general powers of county commission to address local issues – as authorized in §7
- Protecting out-of-state interests from local oversight
- Prioritizing rights of large intensive users to natural resources like groundwater

**Proponent of S.B. 171 argue that this legislation is about protecting family farms from zoning regulations. However:**

- S.B. 171 amends §7-1, which authorizes the general powers of county commissions. Land use regulation and zoning is authorized in §8A. **WHY THE MISMATCH?**
- In fact, S.B. 242 (from 2022) already revised §8A to remove the authority to regulate agricultural operations with land use, zoning, and subdivision ordinances. **THEN WHY IS S.B. 171 NEEDED?**
- West Virginia already has strong right-to-farm laws in §19-19 that prevents counties from bringing enforcement actions for activities “in material compliances with state and federal laws.” **SO, WHAT EXACTLY IS S.B. 171 TRYING TO PROTECT AGAINST?**