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League of Women Voters of West Virginia supports lawsuit to affirm will of the voters and preserve public health

(Morgantown, WV) The League of Women Voters of West Virginia (the “League”) has joined the WV Board of Education in challenging Governor Patrick Morrisey’s decision to use executive power to override the will of the Legislature regarding childhood vaccinations in our state.

WV is known throughout the U.S. for our rigorous and successful childhood vaccination law. Across the years, the Legislature has taken up numerous proposals to weaken the law, to insert a religious exemption where none currently exists. The latest such bills came in 2025 and 2026, but no legislative attempts to change the law have succeeded.

Yet, shortly after his inauguration in January 2025, Governor Morrisey issued an Executive Order stating that the state’s Equal Protection for Religion Act should override our Compulsory Vaccination Law. He made the WV Bureau for Public Health responsible for issuing exemptions, but the State Board of Education intervened to tell WV schools to follow the law.

Lawsuits ensued. A Circuit Court ruling sided with litigants seeking to follow the Governor’s scheme. The case has now been appealed to the WV Supreme Court of Appeals, where the League has filed an amicus (friend of the court) brief in support of the Board of Education’s appeal to nullify the Circuit Court’s rulings and the Governor’s Executive Order.

According to Judy Ball, Co-President of the LWV of WV, “From the League’s perspective, this is a simple matter of following the Constitution and separation of powers. We the people elect the Legislature to make the laws. We the people elect the Governor to carry out the laws enacted by the Legislature. That is the Constitutional formula: no more, no less. Nowhere does the Constitution give the Governor the authority to usurp the role of the Legislature and override its laws via executive order. In a representative government, the Constitutional separation of powers and the will of the people must be respected.”

About LWVWV: The League of Women Voters is a nonpartisan political organization that encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League does not support particular political parties or candidates. It does support or oppose legislation after serious study and substantial agreement among its members. League membership is open to all (not just women) age 16 or older.