

FILED

2007 MAR 20 PM 4: 55

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2007

ENROLLED

House Bill No. 2825

(By Delegates Spencer, Moore and Marshall)

Passed March 9, 2007

In Effect Ninety Days from Passage

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HB 2825

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H. B. 2825 OFFICE WEST VIRGINIA
SECRETARY OF STATE

(BY DELEGATES SPENCER, MOORE AND MARSHALL)

[Passed March 9, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §60-7-4 of the Code of West Virginia, 1931, as amended, relating to private clubs; and deleting provision that allowed private clubs segregated on the basis of race or color to obtain license to sell alcoholic liquors.

Be it enacted by the Legislature of West Virginia:

That §60-7-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 7. LICENSES TO PRIVATE CLUBS.

§60-7-4. Application for license; information required; verification; application to be accompanied by fees; bond; college fraternities and sororities ineligible for license; racial discrimination by applicants prohibited.

- 1 (a) Application for a license to operate a private club
- 2 shall be made on such form as may be prescribed by the
- 3 Commissioner and shall include:

4 (1) The name of the applicant;

5 (2) If the applicant is an unincorporated association, the
6 names and addresses of the members of its governing board;

7 (3) If the applicant is a corporation, the names and
8 addresses of its officers and directors;

9 (4) The place at which the applicant will conduct its
10 operations and whether the same is owned or leased by the
11 applicant;

12 (5) The number of members of the applicant;

13 (6) The name or names of any national organizations with
14 which applicant is affiliated and the nature of such affiliation;

15 (7) The size and nature of the dining and kitchen facilities
16 operated by applicant; and

17 (8) Such other information as the Commissioner may
18 reasonably require which shall include, but not be limited to,
19 the criminal records, if any, of each member of the applicant's
20 governing board and/or its officers and directors who have
21 been convicted of a felony or a crime involving moral
22 turpitude.

23 (b) The application shall be verified by each member of
24 the governing board of the applicant if an unincorporated
25 association or, if the applicant is a corporation, by each of its
26 officers and all members of its board of directors. The
27 application shall be accompanied by the license fee
28 hereinafter prescribed and by a bond of the applicant in the
29 penal sum of five thousand dollars with a corporate surety
30 authorized to transact business in the State of West Virginia,
31 payable to the State of West Virginia, which bond shall be
32 conditioned on the payment of all fees herein prescribed and
33 on the faithful performance of and compliance with the
34 provisions of this article.

35 (c) Under no circumstance may any college fraternity or
36 sorority be issued a license to operate a private club.

37 (d) No license to operate a private club will be issued to
38 applicants who discriminate against any person or group of
39 persons because of race or color of such person or group of
40 persons.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.




Chairman Senate Committee



Chairman House Committee

Originating in the House.


In effect ninety days from passage.



Clerk of the Senate



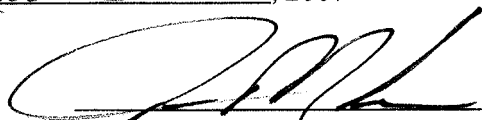
Clerk of the House of Delegates



President of the Senate

Speaker of the House of Delegates

The within *is approved* this the *30th*
day of *March*, 2007.



Governor

PRESENTED TO THE
GOVERNOR

MAR 15 2007

Time 3:50pm