

E N R O L L E D

COMMITTEE SUBSTITUTE

for

H. B. 2878

(BY DELEGATE(S) MILLER, MANCHIN, ESPINOSA,
SKINNER, HORNBUCKLE, LANE, HILL,
STANSBURY, ROWE, WILLIAMS AND UPSON)

[Passed March 14, 2015;
in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31D-1-131, relating to creating a web-based electronic business portal in West Virginia; requiring the Secretary of State to create a web-based business portal to facilitate interaction between government and businesses in West Virginia; requiring Secretary of State to establish a call center to assist businesses obtain information regarding compliance with state law; requiring the Secretary of State to develop requirements for the web-based business portal; and

requiring the Secretary of State to propose rules for legislative approval to implement the provisions of the bill.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §31D-1-131, to read as follows:

ARTICLE 1. GENERAL PROVISIONS.

§31D-1-131. One-stop electronic state business portal.

1 (a) The Secretary of State shall establish a web-based
2 business portal to facilitate interaction among businesses and
3 governmental agencies in West Virginia. The web-based
4 business portal shall provide a single point-of-entry to state
5 government for businesses based in the state and for businesses
6 looking to establish a presence in the state. The web-based
7 business portal shall:

8 (1) Provide guidance to users who want to start, operate or
9 expand a business in the state;

10 (2) Permit e-payments and provide businesses information
11 about transaction statuses in a paperless environment;

12 (3) Provide business owners with the option to
13 electronically:

14 (A) Make application, including the payment of fees, for
15 permits and licenses;

16 (B) Make application, including the payment of fees, for the
17 renewal of permits and licenses;

18 (C) File annual reports;

19 (D) Pay unemployment taxes;

20 (E) Pay sales and use taxes through a link to the web-based
21 portal maintained by the Tax Division of the Department of
22 Revenue for electronic payment; and

23 (F) Pay any other fees or remittances that the business
24 owners are subject to under state law;

25 (4) Provide businesses with downloadable access to all
26 editable forms that are necessary for compliance with all
27 reporting and filing requirements with the following agencies:

28 (A) West Virginia State Tax Department;

29 (B) Workforce West Virginia;

30 (C) West Virginia Division of Labor; and

31 (D) West Virginia Secretary of State;

32 (5) Provide for the electronic filing of documents by city,
33 county and local governments: *Provided*, That nothing in this
34 section shall be construed to permit the Secretary of State to
35 receive tax returns, or any other documents required to be filed
36 with the State Tax Commissioner, or to require any taxpayer to
37 file tax returns, or any other documents required to be filed with
38 the State Tax Commissioner, with the Secretary of State. Nor
39 shall the Secretary of State be permitted to receive payments for
40 taxes, including interest, penalties or additions to tax, that are
41 required to be collected by the Tax Commissioner.
42 Notwithstanding the foregoing, the Secretary of State and the
43 Tax Commissioner may develop policies and procedures
44 allowing the Secretary of State to accept applications and
45 renewals, and to collect the appropriate fee, for Business
46 Registration Certificates. *Provided*, further, That nothing in this
47 section shall be construed as requiring the State Tax

48 Commissioner or the Tax Division of the Department of
49 Revenue to disclose confidential taxpayer information to the
50 Secretary of State.

51 (b) The Secretary of State shall establish a consolidated call
52 center to be staffed by trained and knowledgeable persons who
53 are able to assist businesses obtain information and services
54 relating to compliance with state law.

55 (c) The Secretary of State shall:

56 (1) Develop the requirements of the web-based business
57 portal by August 31, 2015, including but not limited to:

58 (A) Establishing, through cooperative efforts, the standards
59 and requirements necessary to design, build, implement and
60 maintain the business portal; and

61 (B) Establishing the standards and requirements necessary
62 for a state or local agency to participate in the business portal;

63 (2) Coordinate and cooperate with the appropriate entities to
64 facilitate the payment by businesses of any payments or
65 remittances made pursuant to this section, via the web-based
66 business portal; and

67 (3) Propose rules for legislative approval, in accordance with
68 the provisions of article three, chapter twenty-nine-a of this code,
69 to implement the provisions of this article.

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

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2015.

Governor

