

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4020

FISCAL
NOTE

BY DELEGATES FOSTER, PHILLIPS, JENNINGS, ATKINSON,

BIBBY, STEELE, BUTLER, WAXMAN, ESPINOSA,

PORTERFIELD AND MANDT

[Introduced January 13, 2020; Referred to the Committee

on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §8-12-5h, relating to prohibiting any municipality from requiring a municipal
 3 license to engage in an occupation within the municipality if licensure to engage in that
 4 occupation is required by the state.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED
 RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL
 OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.**

**§8-12-5h. Limitations on municipalities’ power to require licensure to engage in certain
 occupations where state licensure is required.**

1 Notwithstanding powers granted to municipalities elsewhere in this code, a municipality
 2 may not require licensure to engage in an occupation within the municipality if the state requires
 3 licensure to engage in the occupation.

NOTE: The purpose of this bill is to remove authority of municipalities to require occupational licensure if licensure for the occupation is required by the state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.