

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3094

BY DELEGATES L. PACK, KEATON, B. WARD, PRITT,
KIMBLE, MALLOW, BURKHAMMER, MARTIN AND HORST

[Introduced March 12, 2021; Referred
to the Committee on the Political Subdivisions then
the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §1-1-8, relating to the use of public funds to influence legislation; prohibiting
 3 political subdivisions, agencies, commissions, departments, or divisions receiving
 4 taxpayer funds from using public funds to influence the outcome of legislation before the
 5 West Virginia Legislature.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. PROTECTION OF TAXPAYER FUNDS.

§1-1-8. Prohibition on Municipality and Agency Lobbying.

1 (a) This section applies to:

2 (1) Municipal corporations, governing bodies, cities, towns, villages, councilmen, or
 3 mayors as defined by §8-1-2 of this code;

4 (2) Consolidated local governments and governing bodies as defined by §7A-1-3 of this
 5 code;

6 (3) Counties, county councils, or county commissions; and

7 (4) Agencies, divisions, departments, or commissions which receive state or local taxpayer
 8 funding.

9 (b) It is a violation of this code for any party listed in subsection (a) of this section to utilize
 10 public money to directly or indirectly influence or attempt to influence the outcome of any
 11 legislation pending before the Legislature.

12 (c) It is not a violation of this code for a party listed in subsection (a) of this section to:

13 (1) Appear before a committee at the request of a member of the Legislature;

14 (2) Provide information to a member of the Legislature at the request of the member;

15 (d) An elected official of a political subdivision may advocate for or against or otherwise
 16 influence the outcome of legislation pending before the Legislature while acting as an officer of
 17 the political subdivision if such advocacy is not utilizing public funds.

NOTE: The purpose of this bill is to prohibit the use of public funds by political subdivisions, agencies, commissions, departments, or divisions receiving taxpayer funds.

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