WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2308

By Delegates Howell and Martin

[Introduced January 11, 2023; Referred to the Committee on Political Subdivisions then Government Organization]

A BILL to amend and reenact §8-12-14 of the Code of West Virginia, 1931, as amended, relating to prohibiting counties from charging for a building permit if the value of the improvement is less than that which is required for a contractor’s license.

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.

§8-12-14. Permits for construction and alteration.

The governing body of every municipality has plenary power and authority to require a permit as a condition precedent to the erection, construction, repair or alteration of any structure or of any equipment or part of a structure which is regulated by state law or municipal ordinance: *Provided*, That no such permits may be required of the state, a county or other governmental entity, its contractors, agents or employees for the erection, construction, repair or alteration of any structure or of any equipment or part of a structure designated for use by the state, a county or other governmental entity: *Provided, however*, That a county or municipality may not charge for a building permit if the value of the improvement is less than what is required for a contractor’s license.

NOTE: The purpose of this bill is to prohibit counties or municipalities from charging for a building permit when the value of the improvement is less than that require for a contractor’s license.

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