

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2630

By Delegates Hardy, Smith, Hornby, Kump, Hite,

Espinosa, Gearhart, Riley and Rowe

[Introduced January 17, 2023; Referred to the
Committee on Political Subdivisions then Government
Organization]

1 A BILL to amend §7-1-1 of the Code of West Virginia, 1931, as amended, relating to allowing
 2 county councils to rename themselves to county commissions; providing for the renaming
 3 to be done by simple resolution; and requiring any name change to be filed with the county
 4 clerk of the county where the name change occurs.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-1. County commissions corporations; how constituted; election of president.

1 (a) The county commission, formerly the county court, tribunal or county council in lieu
 2 thereof, of every county within the State of West Virginia shall be a corporation by the name of
 3 "The county commission of County", or "The County Council of
 4 County" by which name it may sue and be sued, plead and be impleaded and contract and be
 5 contracted with. (b) A county commission shall consist of three commissioners as provided in
 6 section nine, article IX of the Constitution of the State of West Virginia, any two of whom shall
 7 constitute a quorum for the transaction of business.

8 (c) A county council, created on or after July 1, 2008, as an alternative to a county
 9 commission pursuant to section thirteen, article IX of the Constitution of West Virginia, shall
 10 consist of four or more members, a majority of whom shall constitute a quorum for the transaction
 11 of business.

12 (d) Unless provided otherwise in an alternative form of government, each county
 13 commission or council shall annually, at its first session in each year, or as soon thereafter as
 14 practicable, elect one of its commissioners or council members as president of the county
 15 commission or council.

16 (e) Throughout this chapter and the code, the term "county commission" or any reference
 17 to a county commission shall include all county councils created in lieu of the county commission.

18 (f) For purposes of this chapter and the code, county councils may rename themselves to
 19 county commissions, and after doing so, shall be afforded the same responsibilities associated

20 with county commissions. The renaming shall be done by means of a simple resolution at the
21 county council meeting. Any name change shall be filed with the clerk of the county where the
22 name change occurs.

NOTE: The purpose of this bill is permit county councils in West Virginia to rename themselves to county commissions.

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