

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4385

By Delegate Mallow

[Introduced January 10, 2024; Referred
to the Committee on Political Subdivisions then
Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-22-4, relating to requiring a public entity accepting a bid on a public
 3 construction contract or any other type of contract to notify every municipality and county in
 4 which the contractor or any of its subcontractors will be performing services under the
 5 contract of the existence of the contract; publishing terms of contract; and providing time
 6 for public comment.

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. GOVERNMENT CONSTRUCTION CONTRACTS.

§5-22-4. Notification of local governments.

1 The public entity accepting a bid on a public construction contract or any other type of
 2 contract shall, where taxpayers funds are being used, notify in writing every municipality and
 3 county in which the contractor or any of its subcontractors will be performing services under the
 4 contract. The notification shall be made within seven days of acceptance of the bid. The
 5 notification shall include a brief description of the services to be provided, the identity of the
 6 contractor, including its contact information, and the approximate time the services will be
 7 performed. The municipality or county shall publish the terms of the contract with a 30 day period
 8 in which the public may respond and comment on the contract.

NOTE: The purpose of this bill is to require a public entity accepting a bid on a public contract to notify all municipalities and counties in which the contractor or any of its subcontractors will be performing services under the contract of the existence of the contract. The bill also requires publishing terms of contract; and providing time for public comment.

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