

HB4524 CC #1 3-6

Passage

Smith 7883

Delegate Capito, from the committee of conference on matters of disagreement between the two houses, as to

Eng. House Bill No. 4524 — Making the entire state "wet" or permitting the sale of alcoholic liquors for off-premises consumption.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the Senate to Engrossed Committee Substitute for House Bill 4524 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate on pages three and four, section nine, lines three through thirteen, and that the House and Senate agree to an amendment as follows:

On pages three and four, section nine, lines three through thirteen by striking the entirety of subsection (b) and inserting in lieu thereof a new subsection, designated subsection (b) to read as follows:

(b) Notwithstanding the provisions of subsection (a) of this section, a county or municipality which prior to January 1, 2020, prohibited the sale of alcoholic liquors for off-premises consumption may, pursuant to this subsection, hold a local option election to maintain the prohibition against the sale of alcoholic liquors for off-premises consumption without the petition required by the provisions of §60-5-2 of this code, if it enters an order to hold a local option election on the issue on or before July 1, 2020, in which event the election shall be held concurrent with the 2020 general election. The county commission or municipality may require the state to reimburse it for the actual cost of conducting the local option election authorized by this

subsection: Provided, That, as an alternative to the local option election authorized by this subsection, the county commission or governing body of a municipality which prior to January 1, 2020, had prohibited the sale of alcoholic liquors for off-premises consumption may vote to maintain the prohibition and provide certification of the result of the vote to the commissioner on or before July 1, 2020; and that both houses agree to the remaining Senate amendments.

And,

That both houses recede from their positions as to the title of the bill and agree to the same as follows:

Eng. House Bill 4524-A Bill to amend and reenact §60-5-1, §60-5-2, §60-5-3, §60-5-4, §60-5-5, §60-5-6, §60-5-7, §60-5-8, of the code of West Virginia, as amended and to further amend said code by adding thereto a new section, designated §60-5-9, all relating to the off-premises sale of alcoholic liquors generally; allowing the off-premises sale of alcoholic liquors in every county and municipality in the state; creating procedures for counties and municipalities which prohibited off-premises sale of alcoholic liquors prior to January 1, 2020 to hold a local option election to retain the prohibition; authorizing county commissions and governing bodies of municipalities to retain prohibition by a vote to do so without an election; requiring a vote to continue the prohibition or to order an election to occur on or before July 1, 2020; allowing counties and municipalities which prohibit the off premises sale of alcoholic liquors to hold a local option election to reconsider the action; allowing county commissions and governing bodies of municipalities to vote to maintain the prohibition as an alternative to holding a local option election, requiring notice to commissioner of election results of the vote by July 1, 2020; and updating code language.

Respectfully submitted,

Ryan Weld

Chair:

Moore Capito

Chair:

Tom Takubo

Steve Westfall

Paul Hardesty

*Conferees on the part of the
of Senate.*

Bill Hartman

*Conferees on the part of the House of
Delegates.*