

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2904

BY DELEGATES MCGEEHAN AND ZATEZALO

[Passed March 12, 2016; in effect ninety days from
passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §5-2-4, to amend said code by adding thereto a new section, designated §7-
3 1-3pp, and, to amend and reenact §7-1-7 of said Code, all relating to accessible county
4 records; requiring county clerks to report certain county official information to the Secretary
5 of State annually; requiring the Secretary of State to annually update a website of county
6 information; requiring county commissions to maintain a website; and requiring the clerk
7 of a county commission to maintain a county ordinance book.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §5-2-4; and that said code be amended by adding thereto a new section,
3 designated §7-1-3pp; and that §7-1-7 of said code be amended and reenacted, all to read as
4 follows:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 2. SECRETARY OF STATE.

§5-2-4. Accessible county records; required information.

1 (a) The Secretary of State shall maintain a website with certain county information. The
2 website shall be updated annually.

3 (b) On or before January 31, 2018, the county officer information website shall be updated
4 by the Secretary of State.

5 (c) The website shall contain the following minimum information regarding county officials:

6 (1) The official title and name of each county office holder;

7 (2) The contact information for each county office holder, including telephone number,

8 facsimile number, office location and mailing address;

9 (3) The electronic mail address of each elected county office holder where available; and

10 (4) The website of each county commission, where available.

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3pp. Accessible county records; required information.

1 (a) Beginning July 1, 2017, each county commission may maintain a website that provides
2 the following information without charge:

3 (1) The title and name of each elected county office holder;

4 (2) The contact information of each elected county office holder, including office telephone
5 number, facsimile number, office location and mailing address;

6 (3) The government electronic mail address of each elected county office holder.

7 (4) A copy of each county ordinance as adopted;

8 (5) A copy of the approved meeting minutes; and

9 (6) A schedule of regular meeting days for each calendar year.

10 (b) Beginning on or before December 31, 2017, and each year thereafter, the Secretary
11 of State shall obtain the following information:

12 (1) A list of each elected county official by title, with the name of the elected official;

13 (2) The office contact information for each county office holder; and

14 (3) The website address of the county commission website, where available.

§7-1-7. Record books.

1 (a) Beginning on July 1, 2017, the county commission shall, within sixty days of adoption,
2 through the clerk of the commission, enter into a separate book the complete record of all
3 ordinances adopted by the county commission. The clerk shall list, along with each ordinance in
4 the book, the provision of the West Virginia Code authorizing each ordinance. The clerk shall

5 maintain the book in his or her office and shall make available a copy to the county sheriff.
6 Compiling all such ordinances adopted by the county commission and publishing the same on a
7 publically available internet website as delineated in section three-pp of this article shall constitute
8 full compliance with the provisions of this section.

9 (b) The county commission of every county shall provide two record books for the use of
10 the county commission, in one of which shall be entered all the proceedings of such county
11 commission in relation to contested elections, all matters of probate, the appointment of
12 appraisers of the estates of decedents and the appointment and qualification of personal
13 representatives, guardians, committees and curators, and the settlement of their accounts, and
14 all matters relating to apprentices; and in the other of said books shall be entered all the other
15 proceedings of such county commission: *Provided*, That said county commission shall provide
16 and keep such additional or different record books as may be specially required by law.