

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Enrolled

Senate Bill 149

BY SENATORS SWOPE, BOLEY, NELSON, OLIVERIO,

PHILLIPS, TARR, WOODRUM, AND DEEDS

[Passed March 8, 2024; in effect from passage]

1 AN ACT to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating
2 to the composition of county authority boards; removing the requirement that
3 municipalities be represented on county authority boards; removing the requirement that
4 certain board members must be representatives of business, industry, and labor.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. COUNTY AND MUNICIPAL DEVELOPMENT AUTHORITIES.

§7-12-3. Management and control of county authority vested in board; appointment and terms of members; vacancies; removal of members.

1 The management and control of a county authority, its property, operations, business, and
2 affairs shall be lodged in a board of not fewer than 12 nor more than 21 persons who shall be
3 appointed by the county commission and be known as members of the authority. The county
4 commission shall appoint one member to represent the county commission on the board.
5 Members of the board shall be appointed by the county commission. The members of the authority
6 first appointed shall serve respectively for terms of one year, two years and three years, divided
7 equally or as nearly equal as possible between these terms. Thereafter, members shall be
8 appointed for terms of three years each. A member may be reappointed for such additional term
9 or terms as the county commission may deem proper. If a member resigns, is removed or for any
10 other reason his or her membership terminates during his or her term of office, a successor shall
11 be appointed by the county commission to fill out the remainder of his or her term. Members in
12 office at the expiration of their respective terms shall continue to serve until their successors have
13 been appointed and have qualified. The county commission may at any time remove any member
14 of the board by an order duly entered of record and may appoint a successor member for any
15 member so removed.

16 Other persons, firms, unincorporated associations, and corporations, who reside, maintain
17 offices, or have economic interests in the county, are eligible to participate in and request the

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18 county commission to appoint members to the development authority as the said authority shall
19 by its bylaws provide.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

In effect from passage.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2024.

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Governor