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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

SENATE BILL NO. 375

(By Senator Bowman)

PASSED March 8, 2003

In Effect from Passage

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SECRETARY OF STATE

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Senate Bill No. 375

(BY SENATOR BOWMAN)

[Passed March 8, 2003; in effect from passage.]

AN ACT to amend and reenact sections seven and nine, article eleven, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to contractor licensing generally; and allowing the transfer of a license to a new business entity in which the license holder is the principal owner, partner or officer.

Be it enacted by the Legislature of West Virginia:

That sections seven and nine, article eleven, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 11. WEST VIRGINIA CONTRACTOR LICENSING ACT.

§21-11-7. Application for and issuance of license.

- 1 (a) A person desiring to be licensed as a contractor under
- 2 this article shall submit to the board a written application

3 requesting licensure, providing the applicant's social
4 security number and such other information as the board
5 may require on forms supplied by the board. The appli-
6 cant shall pay a license fee not to exceed one hundred fifty
7 dollars: *Provided*, That electrical contractors already
8 licensed under section four, article three-b, chapter
9 twenty-nine of this code shall pay no more than twenty
10 dollars.

11 (b) A person holding a business registration certificate to
12 conduct business in this state as a contractor on the
13 thirtieth day of September, one thousand nine hundred
14 ninety-one, may register with the board, certify by affida-
15 vit the requirements of subsection (c), section fifteen of
16 this article and pay such license fee not to exceed one
17 hundred fifty dollars and shall be issued a contractor's
18 license without further examination: *Provided*, That no
19 license may be issued without examination pursuant to
20 this subsection after the first day of April, two thousand
21 two: *Provided, however*, That any person issued a contrac-
22 tor's license by the board pursuant to this subsection may
23 apply to the board for transfer of the license to a new
24 business entity in which the license holder is the principal
25 owner, partner or corporate officer: *Provided further*, That
26 a license holder may hold a license on behalf of only one
27 business entity during a given time period. The board may
28 transfer the license issued pursuant to this subsection to
29 the new business entity without requiring examination of
30 the license holder.

**§21-11-9. Unlawful use, assignment, transfer of license; revoca-
tion.**

1 No license may be used for any purpose by any person
2 other than the person to whom the license is issued. No
3 license may be assigned, transferred or otherwise disposed
4 of so as to permit the unauthorized use thereof. No license
5 issued pursuant to the provisions of subsection (b), section
6 seven of this article may be assigned, transferred or
7 otherwise disposed of except as provided in said subsec-

8 tion. Any person who violates this section is subject to the
9 penalties imposed in section thirteen of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Craig P. Moore
.....
Chairman, Senate Committee

Shawn Spence
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Russell Stephens
.....
Clerk of the Senate

Bobby L. Smith
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Robert Stivers
.....
Speaker House of Delegates

The within *is approved* this the *15th*
Day of *April* *Bob Wise*, 2003.

.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/27/03

Time 10:10am