

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Committee Substitute

for

Senate Bill 429

BY SENATORS WELD, STOLLINGS, MARONEY, AND

WOODRUM

[Originating in the Committee on Government

Organization; reported on March 3, 2021]

1 A BILL to amend and reenact §5A-3-3a of the Code of West Virginia, 1931, as amended, relating
2 to Division of Emergency Management purchase and sale of commodities and services;
3 exempting division from Purchasing Division requirements concerning contracts for
4 purchase of commodities or services; providing exception; and authorizing Agency for
5 Surplus Property to transfer funds generated from the sale of vehicles, other equipment,
6 and commodities belonging to the Division of Emergency Management to the WV
7 Interoperable Radio Project special revenue account.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. PURCHASING DIVISION.

§5A-3-3a. Additional exemptions from purchasing requirements.

1 (a) The provisions of §5A-3-3(9) of this code subdivision nine, section three, article three,
2 chapter five-a do not apply to the Division of Emergency Management construction or repair
3 contracts entered into by the state for the emergency construction or repair of the Statewide
4 Interoperable Radio Network created by §15-5-1 et seq. of this code: *Provided, That if work on a*
5 purchase or contract has been started by the Purchasing Division, on behalf of the Division of
6 Emergency Management, prior to the effective date of this section, the Purchasing Division shall
7 continue to perform services for the Division of Emergency Management on that purchase or
8 contract until the contract is awarded or the purchase is made, or the Division of Emergency
9 Management decides not to make the purchase or award the contract.

10 (b) Notwithstanding any other provision of this code, the Agency for Surplus Property is
11 hereby empowered to transfer funds generated from the sale of vehicles, other equipment, and
12 commodities belonging to the West Virginia Division of Emergency Management to a special
13 revenue account within the Division of Emergency Management entitled the West Virginia Division
14 of Emergency Management, WV Interoperable Radio Project Account.