

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **Senate Bill 602**

BY SENATORS SYPOLT, CLEMENTS, AND SWOPE

[Introduced March 9, 2021; referred  
to the Committee on the Transportation and  
Infrastructure]

1 A BILL to amend and reenact §17-2A-2 of the Code of West Virginia, 1931, as amended, relating  
2 to removing the residency requirement for the Commissioner of the Division of Highways.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. STATE ROAD COMMISSION.**

**§17-2A-2. Qualifications; ~~residency and office requirements~~; devotion of full time to duties;  
supervisory authority; oath; bond.**

1 The commissioner shall be a person who is experienced in highway planning, finance,  
2 construction, maintenance, management, and supervision qualifying him or her for the duties of  
3 his or her office; shall devote his or her full time and attention to his or her official duties and  
4 responsibilities; ~~shall reside at and~~ maintain his or her office headquarters at the state capital;  
5 shall be the chief executive officer of the commission and, subject to other provisions of law, shall  
6 have direct and full control, management, and supervision of the entire state road program and  
7 system; and shall, prior to assumption of the duties of his or her office, take and subscribe to the  
8 oath prescribed by the Constitution and execute a bond, with surety approved by the commission,  
9 in the penal sum of \$25,000, which executed oath and bond shall be filed with the Secretary of  
10 State. Premiums on the commissioner's bond shall be paid from commission funds.

NOTE: The purpose of this bill is to remove the residency requirement for the Commissioner of the Division of Highways. The Commissioner of Highways is the only commissioner currently required to reside at the "state capital".

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.