

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2791

By Delegate Maynor

[Introduced January 18, 2023; Referred to the
Committee on Political Subdivisions then Government
Organization]

1 A BILL to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating to
2 changing the manner of appointing members to county authorities; and allowing
3 appointments of members from contiguous counties.

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 and, for
5 each municipality located within the county, the county commission shall appoint one member to
6 represent the municipality. The city and town council of each municipality located within the county
7 shall submit to the county commission the names of three persons, one of whom the county
8 commission shall appoint to be the municipality's representative on the board. Other members
9 Members of the board shall be appointed by the county commission and shall may include
10 representatives of business, industry and labor the county and contiguous counties. The members
11 of the authority first appointed shall serve respectively for terms of one year, two years and three
12 years, divided equally or as nearly equal as possible between these terms. Thereafter, members
13 shall be appointed for terms of three years each. A member may be reappointed for such
14 additional term or terms as the county commission may deem proper. If a member resigns, is
15 removed or for any other reason his or her membership terminates during his or her term of office,
16 a successor shall be appointed by the county commission to fill out the remainder of his or her
17 term. Members in office at the expiration of their respective terms shall continue to serve until their
18 successors have been appointed and have qualified. The county commission may at any time
19 remove any member of the board by an order duly entered of record and may appoint a successor

20 member for any member so removed.

21 Other persons, firms, unincorporated associations, and corporations, who reside, maintain
22 offices, or have economic interests, as the case may be, in the county, ~~shall be~~ are eligible to
23 participate in and request the county commission to appoint members to the development
24 authority as the said authority shall by its bylaws provide.

NOTE: The purpose of this bill is to change the manner of appointing members to county authorities and allowing appointments of members from contiguous counties.

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