

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 148

BY SENATORS SWOPE, MARTIN, HAMILTON, JEFFRIES,
ROBERTS, TARR, WOELFEL, WOODRUM, TRUMP,
OLIVERIO, STUART, CLEMENTS, PHILLIPS, AND QUEEN

[Introduced January 11, 2023]

1 A BILL to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating
2 to municipalities required to be represented on county authority boards; and providing that
3 only municipalities with 1,000 or more residents are required to be represented on a county
4 authority board.

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 with 1,000 or more residents located within the county, the county commission
6 shall appoint one member to represent the municipality. The city and town council of each
7 municipality with 1,000 or more residents located within the county shall submit to the county
8 commission the names of three persons, one of whom the county commission shall appoint to be
9 the municipality's representative on the board. Other members of the board shall be appointed by
10 the county commission and shall include representatives of business, industry, and labor. The
11 members of the authority first appointed shall serve respectively for terms of one year, two years,
12 and three years, divided equally or as nearly equal as possible between these terms. Thereafter,
13 members shall be appointed for terms of three years each. A member may be reappointed for
14 such additional term or terms as the county commission may deem proper. If a member resigns,
15 is removed, or for any other reason his or her membership terminates during his or her term of
16 office, a successor shall be appointed by the county commission to fill out the remainder of his or
17 her term. Members in office at the expiration of their respective terms shall continue to serve until
18 their successors have been appointed and have qualified. The county commission may at any

19 time remove any member of the board by an order duly entered of record and may appoint a
20 successor 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 eligible to participate
23 in and request the county commission to appoint members to the development authority as the
24 said authority shall by its bylaws provide.