

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5402

FISCAL
NOTE

By Delegate Dillon

[Introduced February 01, 2024; Referred to the
Committee on the Judiciary]

1 A BILL to repeal §6B-3-1, §6B-3-2, §6B-3-3, §6B-3-4, §6B-3-5, §6B-3-6, §6B-3-7, §6B-3-8, §6B-3-
2 9, §6B-3-10, and §6B-3-11 of the Code of West Virginia, 1931, as amended; and to amend
3 said code by adding thereto a new section, designated §61-2-17, all relating to repealing
4 the lobbyist article and paying someone to lobby or influence any member of the
5 Legislature or receiving money to lobby or influence any member of the Legislature; and
6 felony penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. LOBBYISTS.

§6B-3-1. Definitions.

[Repealed.]

§6B-3-2. Registration of lobbyists.

[Repealed.]

§6B-3-3. Photograph and information-booklet-publication.

[Repealed.]

§6B-3-4. Reporting by lobbyists.

[Repealed.]

§6B-3-5. Grass roots lobbying campaigns.

[Repealed.]

§6B-3-6. Employment of unregistered persons.

[Repealed.]

§6B-3-7. Duties of lobbyists.

[Repealed.]

§6B-3-8. Limitation on persons lobbying in legislative chambers.

[Repealed.]

§6B-3-9. Penalties.

[Repealed.]

§6B-3-10. Provisions may be adopted by local governments; disclosures by state agencies, municipalities, counties, and school districts relating to lobbying activities.

[Repealed.]

§6B-3-11. Compliance audits.

[Repealed.]

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-17. Paying or receiving money to influence members of the Legislature; felony; penalty.

1 (a) A person who receives money from any organization or person for purposes of
2 influencing any member of the Legislature is guilty of a felony and, upon conviction thereof, shall
3 be fined not more than five times the amount of the payment received by that person and
4 imprisoned in a state correctional facility not less than one nor more than five years, or both fined
5 and imprisoned.

6 (2) A person who pays another person for purposes of influencing any member of the
7 Legislature is guilty of a felony and, upon conviction thereof, shall be fined not more than five times
8 the amount of the payment received by that person and imprisoned in a state correctional facility
9 not less than one nor more than five years, or both fined and imprisoned.

NOTE: The purpose of this bill is to create a felony offense for persons who pay or receive money to influence members of the Legislature. It repeals the article that created the lobbyist law.

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