

No: 515
(Introduced by Sen.)
overridden by Reg.)

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OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

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ENROLLED

Committee Substitute for

SENATE BILL NO. 515

(By Mr. Jamblin)

—•—

PASSED March 3, 1983

In Effect ninety days from Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 515
(By MR. TOMBLIN)

[Passed March 3, 1983; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two, three, seven and eight, article five, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to local option election for the sale of alcoholic liquors within a county, magisterial district or municipality.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three, seven and eight, article five, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5. LOCAL OPTION ELECTIONS.

§60-5-1. Election in county, magisterial district or municipality.

1 A county, magisterial district or any municipality may
2 in an election held especially for the purpose, determine
3 whether the sale of alcoholic liquors for beverage pur-
4 poses shall be permitted within that county, magisterial
5 district or municipality.

6 A local option election shall not be held within sixty
7 days of a general or municipal election.

60-5-2. Election called on petition of five percent of qualified voters.

1 The county commission, or the governing body of the
2 municipality, as the case may be, shall call a special

3 "local option election" upon the filing of a petition signed
4 by not less than five percent of the qualified voters
5 within the county, a magisterial district or municipality.

§60-5-3. Form of petition.

1 The petition shall be in the following form:

2 Petition for Local Option Election

3 We, the undersigned legally qualified voters, resident
4 within the county (magisterial district) (municipality)
5 of _____, do hereby petition that a special election
6 be held within the county (city, town) of _____
7 on the _____ day of _____, 19____, upon the
8 following question:

9 Shall the sale of alcoholic beverages under the West
10 Virginia liquor control commission be permitted in
11 _____?

12	Name	Address	Date
13	(Post office or street and number)		

§60-5-7. Discontinuance of state stores and agencies in local option territory.

1 Within thirty days after a "local option election" in
2 which a majority has voted "No," the commission shall
3 close all state stores and discontinue all agencies situated
4 within the county, the magisterial district or municipality.

§60-5-8. When another election may be held.

1 When a "local option election" has been held in a
2 county, a magisterial district or municipality, another
3 such election shall not be held for a period of two years;
4 except that an election may be held within a municipality
5 without regard to an election held in or the time limit
6 applicable to the county within which the municipality,
7 or a part thereof, is located.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Isaac Shelby
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Todd C. Wells
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Walter R. McInnis
President of the Senate

William M. Lee, Jr.
Speaker House of Delegates

The within *is disapproved* this the *16*

day of *March*, 1983.

John D. Belcher
Governor

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SECY. OF STATE