WEST VIRGINIA CODE CHAPTER 35A

WV Legislature

§35A-1-1. Registration in office of Secretary of State.

Any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military or veterans' organization, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge, or auxiliary thereof, whether incorporated or unincorporated, the principles and activities of which are not repugnant to the Constitution and laws of the United States or this state, may register, in the office of the Secretary of State, a facsimile, duplicate, or description of its name, badge, motto, button, decoration, charm, emblem, rosette or other insignia, and may, by reregistration, alter or cancel the same.

WV Legislature

§35A-1-2. Applications for registration; benefit of organizations and members.

Application for such registration, alteration, or cancellation, shall be made by the chief officer or officers of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, upon blanks to be provided by the Secretary of State; and such registration shall be for the use, benefit, and on behalf of all associations, degrees, branches, subordinate lodges, and auxiliaries of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge, or auxiliary thereof, and the individual members and those hereafter to become members thereof, throughout this state.

WV Legislature

§35A-1-3. Record of registration.

The Secretary of State shall keep a properly indexed record of the registration provided for by this chapter, which record shall also show any altered or cancelled registration.

WV Legislature

§35A-1-4. When registration or alteration not permitted.

No registration shall be granted or alteration permitted to any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, having a name, badge, motto, button, decoration, charm, emblem, rosette or other insignia, similar to, imitating, or so nearly resembling as to be calculated to deceive, any other name, badge, button, decoration, charm, emblem, rosette, or other insignia whatsoever, already registered pursuant to the provisions of this chapter.

WV Legislature

§35A-1-5. Certificate of registration.

Upon granting registration as aforesaid, the Secretary of State shall issue his certificate to the petitioners, setting forth the fact of such registration.

WV Legislature

§35A-1-6. Unauthorized wearing, etc., of badges, mottos, etc.

Any person who shall wilfully wear, exhibit, display, print, or use, for any purpose, the badge, motto, button, decoration, charm, emblem, rosette or other insignia, of any such association or organization, herein mentioned, duly registered hereunder, unless he or she shall be entitled to use and wear the same under the Constitution and bylaws, rules and regulations of such association and organization, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding $20, and, in default of payment, committed to jail for a period of not to exceed ten days.

WV Legislature

§35A-1-7. Fees for registration, etc.

The fees of the Secretary of State for registration, alteration, cancellation, searches made by him and certificates issued by him pursuant to this chapter, shall be the same as provided by law for similar services. The fees collected under this chapter shall be paid by the Secretary of State into the State Treasury.

WV Legislature