WEST VIRGINIA CODE: §59-3-2

§59-3-2. Classification of legal advertisements; designation of newspapers; frequency of publication; posting; manner of publishing; publication of notices for the state and its agencies.

(a) A Class I legal advertisement shall be published one time, a Class II legal advertisement shall be published once a week for two successive weeks, and a Class III legal advertisement shall be published once a week for three successive weeks in a qualified newspaper published in the publication area; or if there is no qualified newspaper published in the publication area or if no qualified newspaper published in the publication area will publish the legal advertisement at the rates specified in §59-3-3 of this code, the legal advertisement shall be published in a qualified newspaper published outside the publication area; or if no qualified newspaper is published outside the publication area or if no qualified newspaper published outside the publication area will publish the legal advertisement at the rates specified in §59-3-3 of this code, the legal advertisement shall be posted in at least three public places in the publication area, one of which postings shall be in the county courthouse, at or near the front door of the county courthouse, if a county courthouse is located in the publication area and one of which postings shall be in the municipal office building or municipal office or offices, at or near the front door thereof, if the publication area is a municipality.

(b) A Class I-0 legal advertisement shall be published one time, a Class II-0 legal advertisement shall be published once a week for two successive weeks, and a Class III-0 legal advertisement shall be published once a week for three successive weeks, in two qualified newspapers of opposite politics published in the publication area; or if two qualified newspapers of opposite politics are not published in the publication area or if two qualified newspapers of opposite politics published in the publication area will not publish the legal advertisement at the rates specified in §59-3-3 of this code, the legal advertisement shall be published in one qualified newspaper published in the publication area; or if there is no qualified newspaper published in the publication area or if no qualified newspaper published in the publication area will publish the legal advertisement at the rates specified in §59-3-3 of this code, the legal advertisement shall be published in one qualified newspaper published outside the publication area; or if no qualified newspaper is published outside the publication area or if no qualified newspaper published outside the publication area will publish the legal advertisement at the rates specified in §59-3-3 of this code, the legal advertisement shall be posted in at least three public places in the publication area, one of which postings shall be in the county courthouse, at or near the front door thereof, if a county courthouse is located in the publication area and one of which postings shall be in the municipal office building or municipal office or offices, at or near the front door thereof, if the publication area is a municipality.

(c) A legal advertisement may be published in a qualified newspaper published on any day of

WVLegislature

the week except Sunday.

(d) All legal advertisements shall be published together in continuous columns on one page of the newspaper publishing them under a general heading styled “Legal Advertisements”, unless the number or size of the legal advertisements requires the use of more than one page, in which event the legal advertisements shall be published as near as practicable in continuous columns on as many pages as necessary under the same heading as above required.

(e) Beginning July 1, 2022, any and all legal notices, advertisements, publications, statements, or whatever kind or character required to be published by the State of West Virginia, or its agencies, shall be made at the frequency and in the manner prescribed by subsection (a) or (b) of this section, and shall also be published on a public notice database to be created and maintained by the State Auditor.

(f) Pursuant to subsection (e) of this section, the State Auditor shall propose rules and emergency rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq*. of this code relating to the creation and maintenance of a public notice database available on the State Auditor’s website, the establishment of forms and procedures for submission of information to the State Auditor by the State of West Virginia and its agencies, providing a method of verifying publication of the notice, and for other procedures and policies consistent with this section.

(g) The State Auditor shall report annually to the Joint Committee on Government and Finance regarding the public notice database established by this section, which report shall include information on the extent of the use of the public notice database on the State Auditor’s website, the financial impact resulting from the use of the public notice database, and any recommendations for additional enabling legislation relating to the public notice database.

WV Legislature