

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

SENATE BILL No. 294

(By Mr. Jones)



PASSED March 8 1935

In Effect from Passage

294

**ENROLLED**

**Senate Bill No. 294**

(By MR. JONES) (by request)

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[Passed March 8, 1935; in effect from passage.]

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AN ACT to amend section twenty-one, article two, sections four and six, article four and section thirteen, article six of an act known as House Bill number one hundred nineteen, enacted February twenty-fifth, at the regular session of the Legislature of West Virginia, one thousand nine hundred thirty-five, relating to the state control of alcoholic liquors.

*Be it enacted by the Legislature of West Virginia:*

That section twenty-one, article two, sections four and six, article four and section thirteen, article six of an act known as

House Bill number one hundred nineteen, enacted February twenty-fifth, at the regular session of the Legislature of West Virginia, one thousand nine hundred thirty-five, be amended to read as follows:

## **ARTICLE II**

Section 21. At the close of each fiscal year the state tax  
2 commissioner shall audit the affairs of the West Virginia liquor  
3 control commission and report the results of the audit to the  
4 governor. The cost of the audit shall be paid from the  
5 operating funds.

## **ARTICLE IV.**

Section 4. The commission may grant to wholesale drug-  
2 gists, licenses to purchase alcoholic liquors at wholesale from  
3 or through the West Virginia liquor control commission for  
4 the purpose of resale outside this state. Notwithstanding any  
5 other provisions of the act known as House Bill number one  
6 hundred nineteen, the commission may grant to wholesale drug-  
7 gists licenses to purchase ethyl alcohol for non-beverage pur-  
8 poses, at wholesale from their usual sources of supply, upon  
9 orders for same first approved by the West Virginia liquor  
10 control commission for sale, either within or without the state,

11 to retail druggists or to persons licensed to purchase ethyl  
12 alcohol from said commission under the provisions of said  
13 act.

Sec. 6. The commission may issue licenses to retail drug-  
2 gists to sell, upon prescription, and for the purposes provided  
3 for in this chapter, alcoholic liquor purchased from the West  
4 Virginia liquor control commission. Notwithstanding any other  
5 provisions of the act known as House Bill number one hundred  
6 nineteen, the commission may also issue licenses to retail drug-  
7 gists to purchase ethyl alcohol for non-beverage purposes from  
8 wholesale druggists within or without the state, or from their  
9 usual sources of supply, upon orders first approved by the  
10 commission.

## ARTICLE VI

Section 13. Except as permitted by section six of this  
2 article, a person shall not import into, or transport in this  
3 state any alcoholic liquor unless it is:

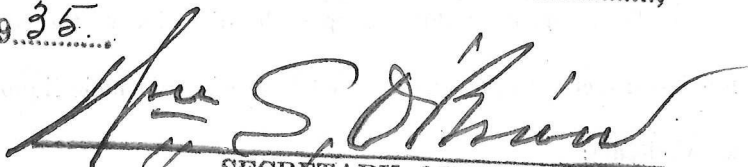
- 4 (1) Consigned to the commission;
- 5 (2) Transported or shipped upon the direction of the com-  
6 mission directly to persons licensed to receive alcoholic liquors  
7 at wholesale;

- 8     (3) Transported or shipped to persons outside the state for  
9 sale or delivery outside the state; or
- 10    (4) Transported or shipped to persons who are duly author-  
11 ized salesmen of recognized brokers, distributors, or distillers  
12 for the purpose of being used solely as sample products for  
13 negotiating sales with the commission, provided the authority  
14 of the commission in writing be first had.

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 15<sup>th</sup> day of March,

1935.

  
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SECRETARY OF STATE

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

*Clinton L. Howard*

Chairman Senate Committee

*Arnold M. Vickers*

Chairman House Committee

Originated in the

*Senate*

Takes effect

*from*

passage.

*Charles E. Holtz*

Clerk of the Senate

*Leo Stace*

Clerk of the House of Delegates

*Charles E. Holtz*

President of the Senate

*John J. Belter*

Speaker House of Delegates

The within

this the

day of

, 1935.

Governor

Filed in the office of the Secretary of State  
of West Virginia.

MAR 15 1935

Wm. S. O'BRIEN,  
Secretary of State