WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 390

(By Mr. Amos)

PASSED ______ Y ________________ 1955

In Effect ________________ Passage
ENROLLED

House Bill No. 390

(Originating in the Committee on Temperance.)

[Passed March 3, 1955; in effect ninety days from passage.]

AN ACT to amend article four, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-two, relating to the licensing of persons selling alcoholic liquors to the West Virginia liquor control commission and providing penalties for violations thereof.

Be it enacted by the Legislature of West Virginia:

That article four, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-two, to read as follows:

Section 22. Licensing of Persons Selling to Commission;

2 Persons Ineligible; Fees; Penalties.—No person, firm or corporation shall be or act or serve as an agent, broker or salesman selling or offering to sell or soliciting or negoti-
5 ating the sale of alcoholic liquor to the commission without first obtaining a license so to do in accordance with
6 the provisions of this section. The commission shall be
7 the licensing authority and may grant, refuse to grant,
8 suspend or revoke licenses. Licenses shall be on an annual basis for the period from the first day of July until
9 the thirtieth day of June next following. New and renewal licenses shall be granted only upon verified application to the commission presented on forms provided by
10 the commission. Any person representing more than one
11 producer, manufacturer, or distributor of alcoholic liquors
12 shall file a separate application and shall obtain a separate
13 license for each such representation. The annual license
14 fee shall be ten dollars. The fee for any license granted
15 for the remainder of any license year between the first
16 day of January and the thirtieth day of June of the same
17 calendar year shall be five dollars.
18 No person who is the father, mother, son, daughter,
19 brother, sister, uncle, aunt, nephew or niece of a member
20 of the commission or of any elected or appointive state
21 official, or who is the spouse of any such person so re-
lated to a member of the commission or to any elected
or appointive state official, may be granted a license here-
under. No member of the Legislature or the spouse of any
such member may be granted a license hereunder.
In addition to all other information which the commis-
sion may require to be supplied on the license application
forms, each applicant shall be required to state his name
and his residence address and the name and business
address of the producer, manufacturer or distributor he
represents; the name and address of each additional pro-
ducer, manufacturer or distributor of alcoholic liquors
he represents; the monetary total of all alcoholic liquor
sales, if any, made by him to the commission during the
fiscal year preceding the license year for which he is
seeking a license; the monetary total of the gross income
received by him on such sales, if any, during such fiscal
year; whether he has, during such fiscal year, made or
given, voluntarily or on request, any gift, contribution
of money or property to any member or employee of the
commission or to or for the benefit of any political party
commitee or campaign fund; and his relationship, if any,
by blood or marriage, to any member of the commission
or to any elected or appointive state official. All such
applications shall be verified by oath of the applicant and
shall be prepared and filed in duplicate. All such appli-
cations and a current list of all licensees hereunder shall
be matters of public record and shall be available to
public inspection at the commission's offices at the state
capitol. Every licensee who ceases to be an agent, broker
or salesman, as herein contemplated, shall so advise the
commission in writing and such person's name shall be
immediately removed from the license list and his license
shall be cancelled and terminated.

All licensees hereunder shall be subject to all other
provisions of this chapter and to the lawful rules and
regulations promulgated by the commission. Licenses
may be refused, suspended or revoked by the commission
for cause, including any of the applicable grounds of
revocation specified in section nineteen of this article.
Provisions of this article relating to notice, hearing and
appeals shall, to the extent applicable, govern procedures
on suspension and revocation of licenses hereunder.
Any person, firm or corporation violating any provision of this section, including knowingly making of any false statement in a verified application for a license, shall be guilty of a misdemeanor offense and shall, upon conviction thereof, be fined not exceeding one thousand dollars or imprisoned in jail not exceeding twelve months, or be subject to both such fine and imprisonment in the discretion of the court.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

[Signature]

 Clerk of the Senate

[Signature]

 Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker House of Delegates

The within...this the...

day of...1955.

[Signature]

Governor

Filed in the Office of the Secretary of State of West Virginia
MAR 11 1955
D. PITT O'BRIEN
SECRETARY OF STATE