

268

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1961



ENROLLED

HOUSE BILL No. 268

(By Mr. Roy E. Wilson)



PASSED March 4th, 1961

In Effect from Passage



Filed in Office of the Secretary of State of West Virginia MAR 17 1961 JOE F. BURDETT SECRETARY OF STATE

ENROLLED

# House Bill No. 268

(By MR. FLOYD and MR. WILSON)

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[Passed March 4, 1961; in effect from passage.]

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AN ACT to amend and reenact section fifteen, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to and prohibiting pecuniary interest of certain county officers and employees in certain contracts and services and providing penalties therefor.

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

That section fifteen, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 15. *Pecuniary Interest of County and District*

2 *Officers, Teachers and School Officials in Contracts; Ex-*  
3 *ception; Offering or Giving Compensation; Penalties.—*

4 It shall be unlawful for any member of a county court,  
5 overseer of the poor, district school officer, secretary of a

6 board of education, supervisor or superintendent, prin-  
7 cipal or teacher of public schools, or any member of any  
8 other county or district board, or for any county or dis-  
9 trict officer to be or become directly or indirectly, pecun-  
10 iarly interested in the proceeds of any contract or service,  
11 or in furnishing any supplies in the contract for, or the  
12 awarding or letting of, which as such member, officer,  
13 secretary, supervisor, superintendent, principal, or teacher,  
14 he may have any voice, influence or control: *Provided,*  
15 *however,* That nothing herein shall be construed to pre-  
16 vent or make unlawful the employment of the spouse of  
17 any such member, officer, secretary, supervisor, super-  
18 intendent, principal or teacher as principal or teacher in  
19 the public schools of any county. Any person or officer  
20 named who shall violate any of the foregoing provisions  
21 of this section shall be guilty of a misdemeanor, and,  
22 upon conviction thereof, be fined not less than fifty nor  
23 more than five hundred dollars, and may, in the discre-  
24 tion of the court, be imprisoned for a period not to exceed  
25 one year. In addition to the foregoing penalties, any such  
26 officer shall be removed from his office and the certificate

27 or certificates of any teacher, principal, supervisor or  
28 superintendent who violates any provision of this section  
29 shall upon conviction thereof, be revoked immediately.  
30 Any person, firm or corporation that offers or gives any  
31 compensation whatever to any of the officers or persons  
32 hereinbefore named or to any other person with the in-  
33 tent to secure the influence, support or vote of such  
34 officer or person for any contract, service, award or other  
35 matter as to which any county or school district shall  
36 become the paymaster, shall be guilty of a misdemeanor,  
37 and, upon conviction thereof, be fined not less than five  
38 hundred, nor more than twenty-five hundred dollars,  
39 and, at the discretion of the court, such person or any  
40 member of such firm, or, if it be a corporation, any agent  
41 or officer thereof, so offering or giving such compensa-  
42 tion, may, in addition to such fine, be imprisoned for a  
43 period not to exceed one year.

44 The provisions of this section shall not apply to publica-  
45 tions in newspapers required to be made by law.

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

Howard Davis, Jr.  
Chairman Senate Committee

Wm. W. Withrow  
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Myers  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Howard Hanson  
President of the Senate

Julius W. Singletary, Jr.  
Speaker House of Delegates

The within approved this the 17<sup>th</sup> day of March, 1961.

W. Barr  
Governor



Filed in Office of the Secretary of State  
of West Virginia MAR 17 1961  
JOE F. BURDETT  
SECRETARY OF STATE