

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

Comm. Sub. for

SENATE BILL NO. 99

(By Mr. *Cason*, Mr. *President* and
Mr. *Wooland* original sponsors)

PASSED March 8, 1965

In Effect Ninety days from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-15-65

66-99
#

ENROLLED

JUDICIARY

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 99

(By MR. CARSON [MR. PRESIDENT] and MR. MORELAND original
sponsors)

[Passed March 8, 1965; in effect ninety days from passage.]

AN ACT to amend article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen-a, relating to the purchasing division of the department of finance and administration; requiring pre-qualification disclosure by vendors, and providing penalties.

Be it enacted by the Legislature of West Virginia:

That article three, chapter five-a of the code of **West Vir-**

ginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen-a, to read as follows:

Section 14-a. Pre-qualification Disclosure by Vendors

2 **Required; Penalties.**—The director shall reject any bid
3 received from any vendor unless the vendor has filed
4 with the director an affidavit of the vendor or the affidavit
5 of a member of the vendor's firm, or, if the vendor be a
6 corporation, the affidavit of an officer, director, or man-
7 aging agent, of such corporation, disclosing the following
8 information: (1) If the vendor be an individual, his name
9 and residence address, and, if he has associates or partners
10 sharing in his business, their names and residence ad-
11 dresses; (2) if the vendor be a firm, the name and resi-
12 dence address of each member, partner or associate of the
13 firm; (3) if the vendor be a corporation created under
14 the laws of this state, the name and business address of
15 the corporation; the names and residence addresses of the
16 president, vice president, secretary, treasurer, and general
17 manager, if any, of the corporation; and the names and
18 residence addresses of each stockholder of the corporation

19 owning or holding more than ten per cent of the capital
20 stock thereof; (4) if the vendor be a foreign corporation,
21 the name and business address of the corporation; the
22 names and residence addresses of the president, vice
23 president, secretary, treasurer, and general manager, if
24 any, of the corporation; the names and residence addresses
25 of each stockholder of the corporation owning or holding
26 more than ten per cent of the capital stock thereof; and
27 a certificate from the secretary of state verifying that said
28 foreign corporation has qualified to do business in this
29 state, prior to the submission of any bid. Whenever a
30 change occurs in the information heretofore submitted as
31 required, such change shall be reported immediately in
32 the same manner as required in the original disclosure
33 affidavit.

34 The affidavit and information so received by the direc-
35 tor shall be kept in a register of vendors which shall be
36 a public record and open to public inspection during
37 regular business hours in the director's office and made
38 readily available to the public at such time.

39 The director may waive the above requirements in the

40 case of corporations listed on any nationally-recognized
41 stock exchange.

42 Any person who makes such affidavit falsely or who
43 shall knowingly file or cause to be filed with the director,
44 an affidavit containing a false statement of a material fact
45 or omitting any material fact, shall be guilty of a mis-
46 demeanor, and, upon conviction thereof, shall be fined
47 not more than one thousand dollars and in the discretion
48 of the court, confined in jail not more than one year.
49 In any such case, the person convicted shall be adjudged
50 forever incapable of holding any office of honor, trust or
51 profit in this state, or of serving as a juror.

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

B. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days from* Passage.

J. Howard Keyser
Clerk of the Senate

O. A. Blankenship
Clerk of the House of Delegates

Howard E. Carson
President of the Senate

H. Babson White
Speaker House of Delegates

The within *approved* this the *13*
day of *March*, 1965.

Hullett C. Smith
Governor



Presented to Governor's Office

Mar. 12, 1965

11:05 a.m.