

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

Comm. Sub. for
SENATE BILL NO. 68

(By Mr. Moulton and Mr. Carignan
original sponsors)

PASSED March 11, 1967

In Effect June Passage

FILED IN THE OFFICE

ROBERT D. BAILEY

SECRETARY OF STATE

THIS DATE 3-21-67

89#

ENROLLED

JUDICIARY

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 68

(MR. MORELAND and MR. CARRIGAN original sponsors)

[Passed March 11, 1967; in effect from passage.]

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

Be it enacted by the Legislature of West Virginia:

That section fourteen-a, article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one,

as amended, be amended and reenacted to read as follows:

**§5A-3-14a. Prequalification disclosure by vendors required;
form and contents; register of vendors; false affidavits,
etc.; penalties.**

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

18 or holding more than ten per cent of the capital stock
 19 thereof; (4) if the vendor be a foreign corporation, the
 20 name and business address of the corporation; the names
 21 and residence addresses of the president, vice president,
 22 secretary, treasurer, and general manager, if any, of the
 23 corporation; and the names and residence addresses of
 24 each stockholder of the corporation owning or holding
 25 more than ten per cent of the capital stock thereof. When-
 26 ever a change occurs in the information heretofore sub-
 27 mitted as required, such change shall be reported im-
 28 mediately in the same manner as required in the original
 29 disclosure affidavit.

30 The affidavit and information so received by the director
 31 shall be kept in a register of vendors which shall be a
 32 public record and open to public inspection during regular
 33 business hours in the director's office and made readily
 34 available to the public at such time.

35 The director may waive the above requirements in the
 36 case of corporations listed on any nationally-recognized
 37 stock exchange.

38 Any person who makes such affidavit falsely or who

39 shall knowingly file or cause to be filed with the director,
40 an affidavit containing a false statement of a material
41 fact or omitting any material fact, shall be guilty of a
42 misdemeanor, and, upon conviction thereof, shall be fined
43 not more than one thousand dollars and in the discretion
44 of the court, confined in jail not more than one year. In
45 any such case, the person convicted shall be adjudged
46 forever incapable of holding any office of honor, trust
47 or 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.

William Tompos
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Meyers
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Laban White
Speaker House of Delegates

The within approved this the 17
day of March, 1967.

Hubert C. Smith
Governor

**PRESENTED TO THE
GOVERNOR**

Date 3/12/67

Time 3:21 P.m.