WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 68

(By Mr. Wadland and Mr. Cuskey)

PASSED

March 1, 1967

In Effect

3-21-67

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
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,
§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 vendor unless the vendor has filed with the director an affidavit of the vendor or the affidavit of a member of the vendor's firm, or, if the vendor be a corporation, the affidavit of an officer, director, or managing agent, of such corporation, disclosing the following information:

(1) If the vendor be an individual, his name and residence address, and, if he has associates or partners sharing in his business, their names and residence addresses; (2) if the vendor be a firm, the name and residence address of each member, partner or associate of the firm; (3) if the vendor be a corporation created under the laws of this state, the name and business address of the corporation; the names and residence addresses of the president, vice president, secretary, treasurer, and general manager, if any, of the corporation; and the names and residence addresses of each stockholder of the corporation owning
or holding more than ten per cent of the capital stock thereof; (4) if the vendor be a foreign corporation, the name and business address of the corporation; the names and residence addresses of the president, vice president, secretary, treasurer, and general manager, if any, of the corporation; and the names and residence addresses of each stockholder of the corporation owning or holding more than ten per cent of the capital stock thereof. Whenever a change occurs in the information heretofore submitted as required, such change shall be reported immediately in the same manner as required in the original disclosure affidavit.

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

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

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 Tampas
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. Howard Meeks
Clerk of the Senate

Clerk of the House of Delegates

Howard J. Carson
President of the Senate

H. Laron White
Speaker House of Delegates

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

Hyett C. Smith
Governor
PRESENTED TO THE GOVERNOR

Date  3/17/67
Time  3:30 P.M.