WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED
SENATE BILL NO. 243

(By Mr. )

PASSED March 1, 1969

In Effect 70 days from Passage

FILED IN THE OFFICE
JOHN D. HOOKER, IV
SECRETARY OF STATE
1969 FILE 3-17-69
ENROLLED
Senate Bill No. 243
(By Mr. Brotherton)

(Passed March 4, 1969; in effect ninety days from passage.)

AN ACT to amend and reenact section seven-b, article seventeen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to bond for wholesale cigarette dealers.

Be it enacted by the Legislature of West Virginia:

That section seven-b, article seventeen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 17. EXCISE TAX ON SALE OF CIGARETTES.

§11-17-7b. Conditions precedent to issuance of licenses; disqualification for license.

1 Application for a wholesale cigarette dealer’s license

2 shall be accompanied by payment of the proper license
fee together with a letter from at least three of the major
cigarette manufacturers indicating that they will sell to
the applicant on a direct basis in the event a proper
license is issued by this state. For the purpose of this
section, major cigarette manufacturers will be those
manufacturers who are among the six companies show-
ing the largest taxable cigarette removals during the pre-
vious calendar year, as indicated by the records of the
tobacco tax branch of the United States Internal Reve-
nue Service. This section shall not apply to applications for
renewal of licenses provided the applicant is, at the time
of applying for renewal, purchasing from at least three
of the major cigarette manufacturers.

Wholesaler's or sub-jobber's licenses shall be issued
only to persons, except corporations, of good moral char-
acter, who are not less than twenty-one years of age. No
wholesaler's or sub-jobber's license shall be issued to any
person who has been convicted within the past five years
of any offense against the cigarette laws of this state or
who has been convicted in this state, or any state of the
United States, during the past five years of any offense
designated as a felony by such state or the United States, or to a corporation, any of whose officers have been so convicted. The term "conviction" shall include the adjudication of guilt on a plea of nolo contendere, or the forfeiture of a bond when charged with a crime. The commissioner may refuse to issue any license provided for under this section to any person, firm or corporation whose license under the cigarette law has been suspended or revoked or to any corporation, an officer of which has had his cigarette license suspended or revoked, or to any person who is or has been an officer of a corporation whose cigarette license has been suspended or revoked.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tupper
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Howard Keener
Clerk of the Senate

D.A. Blankenship
Clerk of the House of Delegates

Hayden
President of the Senate

Jim F. Baxley
Speaker House of Delegates

The within approved this the 12th day of March, 1969.

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

William Tamayo  
Chairman Senate Committee

Clayton Davidson  
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

J. Howard Hughes  
Clerk of the Senate

O. A. Blankenship  
Clerk of the House of Delegates

Lloyd Ferguson  
President of the Senate

Joe F. Brieske  
Speaker House of Delegates

The within approved this the 17th day of March, 1969.

Arch A. Thornburgh  
Governor
PRESENTED TO THE
GOVERNOR
Date 3/8/69
Time 4:50 P.M.

RECEIVED
Mar 17 19 24 AM '69
OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA