

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

---

ENROLLED

SENATE BILL NO. 91

(By Mr. McCourt, Mr. President.)

---

PASSED FEBRUARY 15, 1972.

In Effect 90 DAYS FROM Passage



FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE

THIS DATE 2-21-72

91

**ENROLLED**  
**Senate Bill No. 91**

(By MR. McCOURT, MR. PRESIDENT)

[Passed February 15, 1972; in effect ninety days from passage.]

AN ACT to amend and reenact section twelve, article eight, chapter thirty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the prohibition of branch banks and limitations on purchase of bank stock, to permit any banking institution to operate for certain limited purposes one off-premises banking facility within two thousand feet of the banking house premises.

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

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

**ARTICLE 8. HEARINGS; ADMINISTRATIVE PROCEDURES; JUDICIAL REVIEW; UNLAWFUL ACTS; PENALTIES.**

**§31A-8-12. Branch banks forbidden; one limited off-premises facility permitted; limitation on purchase of bank stock.**

- 1 (a) No banking institution shall:
- 2 (1) Install or maintain any branch bank; or
- 3 (2) Engage in business at any place other than
- 4 at its principal office in this state: *Provided*, That at any
- 5 time any such banking institution may operate one and
- 6 only one off-premises walk-in or drive-in banking facility,
- 7 on or in conjunction with or entirely separate from a
- 8 parking lot for the customers of such banking institution,
- 9 for the purpose of receiving bank deposits of all kinds,
- 10 cashing checks, making change, selling and issuing money
- 11 orders and travelers checks and receiving payments on
- 12 installment, savings and rental accounts, and for no other
- 13 purposes, provided such off-premises banking facility is
- 14 located within two thousand feet of the banking house
- 15 premises of the banking institution operating such off-

16 premises facility measured between the nearest points of  
17 the banking house premises and the premises on which  
18 such off-premises banking facility is located.

19 (b) It shall be unlawful for any person to purchase  
20 and hold stock in any banking institution for the purpose  
21 of selling, negotiating or trading participation in the  
22 ownership thereof either for the purpose of perfecting  
23 control of one or more such banking institutions or for  
24 the purpose of inducing other persons, firms or corpora-  
25 tions or the general public to become participating owners  
26 therein. Nothing herein shall prevent the ownership of  
27 stock in any such banking institution by any person for  
28 investment purposes.

29 (c) Any violation of any provision of this section shall  
30 constitute a misdemeanor offense punishable by applic-  
31 able penalties as provided in section fifteen of article  
32 eight of this chapter.

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

*Russell B. Beane*  
Chairman Senate Committee

*Phyllis J. Reutledge*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Howard W. Hanson*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Esther Cant*  
President of the Senate

*Lewis J. Mann*  
Speaker House of Delegates

The within *Approved* this the *21<sup>st</sup>*  
day of *February*, 1972.

*Arch A. Moore Jr.*  
Governor



PRESENTED TO THE  
GOVERNOR

Date 2/18/72

Time 9:35 a.m.

FEB 21 3 49 PM '72

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA