

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1974

## ENROLLED

*Committee Substitute for*  
SENATE BILL NO. 15

(By Mr. Williams)

PASSED March 5, 1974

In Effect ninty days from Passage



FILED IN THE OFFICE  
EDGAR F. HEISKELL III  
SECRETARY OF STATE  
THIS DATE 3-18-74

# ENROLLED

## COMMITTEE SUBSTITUTE

### FOR

## Senate Bill No. 15

(By MR. WILLIAMS, *original sponsor*)

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[Passed March 5, 1974; in effect ninety days from passage.]

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AN ACT to amend article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifteen-a, relating to municipalities and providing for the calling upon petition of a special municipal election for a proper governmental purpose.

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

That article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fifteen-a, to read as follows:

**ARTICLE 5. ELECTION, APPOINTMENT, QUALIFICATION AND  
COMPENSATION OF OFFICERS; GENERAL PRO-  
VISIONS RELATING TO OFFICERS AND EM-  
PLOYEES; ELECTIONS AND PETITIONS GEN-  
ERALLY; CONFLICT OF INTEREST.**

**§8-5-15a. Special municipal elections not otherwise provided  
for.**

- 1 In any instance where there is no statutory, charter or
- 2 lawful ordinance provision authorizing, relating to or re-
- 3 quiring a special municipal election, the governing body

4 of a municipality shall, upon receipt of a proper petition,  
5 as hereinafter in this section specified, requesting a special  
6 municipal election for a proper governmental purpose, as  
7 specified in such petition, forthwith adopt a resolution or  
8 ordinance, where procedure by ordinance is required,  
9 calling and providing for a special municipal election for  
10 such purpose. Such petition must bear the signatures,  
11 written in their own handwriting, of not less than twenty  
12 percent of the qualified voters of such municipality. Such  
13 special municipal election shall be held, superintended  
14 and conducted, and the results thereof ascertained, certi-  
15 fied, returned and canvassed in the same manner and by  
16 the same individuals as elections for municipal officers.  
17 In any instance where there is a statutory, charter or  
18 lawful ordinance provision authorizing, relating to or re-  
19 quiring a special municipal election upon petition or  
20 otherwise, the provisions of this section shall not be ap-  
21 plicable and such statutory, charter or lawful ordinance  
22 provision shall govern and control in all respects, includ-  
23 ing without limiting the generality of the foregoing, the  
24 requisites of any petition for such special municipal  
25 election.

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

H. Darrell Dasky  
Chairman Senate Committee

Frederic C. Thurston, Jr.  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Howard A. Carson  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Dr. P. Brotherton, Jr.  
President of the Senate

Louis J. McRae  
Speaker House of Delegates

The within approved this the 18th  
Frank  
day of \_\_\_\_\_, 1974.

Arch A. Moore, Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/8/74

Time 11:47 a.m.