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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1976**



**ENROLLED**

*Committee Substitute for*

**HOUSE BILL No. 1069**

(By Mr. *Bird & Mr. Albright*)



PASSED *March 8,* 1976

In Effect *ninety days from* Passage



**FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA**

**THIS DATE 3/18/76**

*1069*

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR

**H. B. 1069**

(By MR. BIRD and MR. ALBRIGHT)

(Originating in the House Committee on Finance)

[Passed March 8, 1976; in effect ninety days from passage.]

AN ACT to amend article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section forty-four, relating to preference to resident vendors doing business with the state.

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

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

**ARTICLE 3. PURCHASING DIVISION.**

**§5A-3-44. Preference for resident vendors.**

1 Other provisions of this article notwithstanding, in any  
2 instance that a purchase of commodities or printing by the  
3 director or by a state department is required under the  
4 provisions of this article to be made upon competitive bids,  
5 such purchase shall be made from a vendor resident in West  
6 Virginia, if such bid does not exceed the lowest qualified

7 bid from a nonresident vendor by more than two percent of  
8 the latter bid, and if such resident vendor has made written  
9 claim for such preference at the time the bid was submitted.

10 A vendor shall be deemed to be a resident of this state  
11 if such vendor be an individual, partnership, association or  
12 corporation that maintains an active bona fide place of business  
13 within the state and maintains therein a representative in-  
14 ventory of the commodities on which the bid is submitted,  
15 and, in the case of a corporation, is duly qualified to do  
16 business and is in good standing under the laws of the state.

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

*James L. Davis*  
Chairman Senate Committee

*Clarence C. Churchman*  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*J. C. Sullivan Jr.*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*W. T. Brantley Jr.*  
President of the Senate

*Lewis N. McManis*  
Speaker House of Delegates

The within *approved* this the *17th*  
*March* day of \_\_\_\_\_, 1976.

*Arva. Mansfield*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/11/76

Time 4:25 p.m.