WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1977

ENROLLED
SENATE BILL NO. 510

(By Mr. Gilligan)

PASSED April 9, 1977

In Effect ninety days from Passage
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Senate Bill No. 510
(By Mr. Gilligan)

[Passed April 9, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the pecuniary interest of county and district officers, teachers and school officials in contracts; exception; offering or giving compensation; penalties.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 10. CRIMES AGAINST PUBLIC POLICY.

§61-10-15. Pecuniary interest of county and district officers, teachers and school officials in contracts; exceptions; offering or giving compensation; penalties.

1 It shall be unlawful for any member of a county commission, overseer of the poor, district school officer, secretary of a board of education, supervisor or superintendent, principal or teacher of public schools, or any member of any other county or district board, or for any county or district officer to be or become pecuniarily interested, directly or indirectly, in the proceeds of any contract or service, or in furnishing any supplies in the contract for, or the awarding or letting of, which as such member, officer, secretary, supervisor, superintendent, principal, or teacher, he may have any voice, influence or control: Provided, however, That nothing herein shall be construed to prevent or make unlawful the employment of the spouse of any such member, officer, secretary, super-
visor, superintendent, principal or teacher as principal or
teacher, auxiliary or service employee in the public
schools of any county, nor to prevent or make unlawful the
employment by any joint county and circuit clerk of his or
her spouse. Any person or officer named who shall violate
any of the foregoing provisions of this section shall be
guilty of a misdemeanor, and, upon conviction thereof, be
fined not less than fifty nor more than five hundred dollars,
and may, in the discretion of the court, be imprisoned
for a period not to exceed one year. In addition to the
foregoing penalties, any such officer shall be removed
from his office and the certificate or certificates of any
teacher, principal, supervisor and superintendent who
violates any provision of this section shall upon conviction
thereof, be revoked immediately. Any person, firm or
corporation that offers or gives any compensation or
thing of value or forebears to perform any act whatever
to any of the officers or persons hereinbefore named or
to or for any other person with the intent to secure the
influence, support or vote of such officer or person for
any contract, service, award or other matter as to which
any county or school district shall become the paymaster,
shall be guilty of a misdemeanor, and, upon conviction
thereof, be fined not less than five hundred, nor more than
twenty-five hundred dollars, and, at the discretion of the
court, such person or any member of such firm, or, if it be
a corporation, any agent or officer thereof, so offering or
giving such compensation, may, in addition to such fine,
be imprisoned for a period not to exceed one year.
The provisions of this section shall not apply to pub-
llications in newspapers required to be made by law.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James Davis
Chairman Senate Committee

Chairman House Committee

 Originated in the Senate.

To take effect ninety days from passage.

J. W. Mellon, Jr.
Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Donald L. Zapp
Speaker House of Delegates

The within is approved this the 26

day of April, 1978.

Governor