WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1977

ENROLLED
SENATE BILL NO. 547

(By Mr. President)

PASSED March 28, 1977

In Effect 

No. 341
ENROLLED
Senate Bill No. 547
(By Mr. Brotherton, Mr. President)

[Passed March 28, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article five, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to approval by the commissioner of finance and administration for permanent changes to premises leased by state agencies.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 5. LEASING OF GROUNDS, BUILDINGS, OFFICE OR OTHER SPACE BY STATE GOVERNMENT.

§5A-5-3. Selection of grounds, etc.; acquisition by contract or lease; requiring approval of commissioner for permanent changes.

1 The commissioner shall have sole authority to select and to acquire by contract or lease, in the name of the state, all grounds, buildings, office space or other space, the rental of which is necessarily required by any spending unit, upon a certificate from the chief executive officer of said spending unit that the grounds, buildings, office space or other space requested is necessarily required for the proper function of said spending unit and that satisfactory grounds, buildings, office space or other space is not available on grounds and in buildings now owned or leased by the state. The commissioner shall, before executing any rental contract or lease, determine the
fair rental value for the rental of the requested grounds, buildings, office space or other space, in the condition in which they exist, and shall contract for or lease said premises at a price not to exceed the fair rental value thereof.

A spending unit which is granted any grounds, buildings, office space or other space leased in accordance with this section may not order or make permanent changes of any type thereto, unless the commissioner has first determined that the change is necessary for the proper, efficient and economically sound operation of the spending unit. For purposes of this section, a “permanent change” means any addition, alteration, improvement, remodeling, repair or other change involving the expenditure of state funds for the installation of any tangible thing which cannot be economically removed from the grounds, buildings, office space or other space when vacated by the spending unit.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

William C. Friches
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

James W. Clark
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

Robert C. Bartlett
President of the Senate

Donald L. Young
Speaker House of Delegates

The within ________________this the ____________

day of ________________, 1977.

__________________________
Governor
Received in the Secretary of State's Office
April 8, 1977  A.M.