WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

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ENROLLED
Committee Substitute for
SENATE BILL NO. 515

(By Mr. Jamblin)

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PASSED March 3, 1983
In Effect ninety days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 515

(BY MR. TOMBLIN)

[Passed March 3, 1983; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two, three, seven and eight, article five, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to local option election for the sale of alcoholic liquors within a county, magisterial district or municipality.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three, seven and eight, article five, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5. LOCAL OPTION ELECTIONS.

§60-5-1. Election in county, magisterial district or municipality.

1. A county, magisterial district or any municipality may in an election held especially for the purpose, determine whether the sale of alcoholic liquors for beverage purposes shall be permitted within that county, magisterial district or municipality.

2. A local option election shall not be held within sixty days of a general or municipal election.

§60-5-2. Election called on petition of five percent of qualified voters.

1. The county commission, or the governing body of the municipality, as the case may be, shall call a special
§60-5-3. Form of petition.
1 The petition shall be in the following form:
2 Petition for Local Option Election
3 We, the undersigned legally qualified voters, resident
4 within the county (magisterial district) (municipality)
5 of _______________, do hereby petition that a special election
6 be held within the county (city, town) of _______________
7 on the _______________ day of ______________, 19___, upon the
8 following question:
9 Shall the sale of alcoholic beverages under the West
10 Virginia liquor control commission be permitted in
11 ______________?
12 Name Address Date
13 (Post office or street and number)

§60-5-7. Discontinuance of state stores and agencies in local option territory.
1 Within thirty days after a "local option election" in
2 which a majority has voted "No," the commission shall
3 close all state stores and discontinue all agencies situated
4 within the county, the magisterial district or municipality.

§60-5-8. When another election may be held.
1 When a "local option election" has been held in a
2 county, a magisterial district or municipality, another
3 such election shall not be held for a period of two years;
4 except that an election may be held within a municipality
5 without regard to an election held in or the time limit
6 applicable to the county within which the municipality,
7 or a part thereof, is located.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

John C. Wells
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Winston M. Screws
President of the Senate

W. M. Lee, Jr.
Speaker House of Delegates

The within __indisapproved__ this the 16

day of ________, 1983.

John D. Belcher
Governor