WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED

HOUSE BILL No. 2761

(By Delegates M. HARMAN + R. HARMAN)

Passed March 14, 1987

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-five, relating to the uniform vendors reciprocity act; preference in awarding bids in the purchase of commodities or printing.

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-five, to read as follows:

ARTICLE 3. PURCHASING DIVISION.

§5A-3-45. Reciprocal preference in letting contracts for public work.

1 (a) This section may be cited as the “Uniform Vendors Reciprocity Act.”

2 (b) Other provisions of this article notwithstanding, in any instance that a purchase of commodities or printing by the director or by a state department is required under the provisions of this article to be made upon competitive bids:

8 (1) Preference for the same type of work shall be given to vendors resident in the state of West Virginia over vendors resident in a state that provides for a
preference in favor of vendors resident in that state over vendors resident in the state of West Virginia; and

(2) Vendors resident in the state of West Virginia are to be granted the same preference over vendors resident in another state in the same manner, on the same basis and to the same extent that preference is granted in awarding bids for the same type of work by such other state to vendors resident therein over vendors resident in the state of West Virginia.

(c) If one party to a joint venture is qualified under this section as a vendor resident in West Virginia, this qualification shall extend to all parties to the joint venture but shall not extend to subcontractors.

d) For the purpose of this section, a vendor shall be deemed to be vendor resident in West Virginia if such vendor would qualify as a resident vendor under the provisions of section forty-four of this article.

(e) If any provision or clause of this section or application thereof to any person or circumstance is in conflict with the provisions of section forty-four of this article, such conflict shall be resolved in such a manner as to implement the provisions of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Member

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

Presiding Officer

President of the Senate

Speaker of the House of Delegates

The within

approved

this the 31st

day of March, 1987.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/25/87
Time 4:54 p.m.