

HB 2878

FILED  
2015 APR -1 A 11: 18  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2015

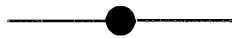


**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2878**

(By Delegate(s) Miller, Manchin, Espinosa,  
Skinner, Hornbuckle, Lane, Hill,  
Stansbury, Rowe, Williams and Upson)



Passed March 14, 2015

In effect ninety days from passage.

FILED

2015 APR -1 A 11: 19

OFFICE WEST VIRGINIA  
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**E N R O L L E D**

COMMITTEE SUBSTITUTE

for

**H. B. 2878**

(BY DELEGATE(S) MILLER, MANCHIN, ESPINOSA,  
SKINNER, HORNBUCKLE, LANE, HILL,  
STANSBURY, ROWE, WILLIAMS AND UPSON)

[Passed March 14, 2015;  
in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31D-1-131, relating to creating a web-based electronic business portal in West Virginia; requiring the Secretary of State to create a web-based business portal to facilitate interaction between government and businesses in West Virginia; requiring Secretary of State to establish a call center to assist businesses obtain information regarding compliance with state law; requiring the Secretary of State to develop requirements for the web-based business portal; and

requiring the Secretary of State to propose rules for legislative approval to implement the provisions of the bill.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §31D-1-131, to read as follows:

**ARTICLE 1. GENERAL PROVISIONS.**

**§31D-1-131. One-stop electronic state business portal.**

1 (a) The Secretary of State shall establish a web-based  
2 business portal to facilitate interaction among businesses and  
3 governmental agencies in West Virginia. The web-based  
4 business portal shall provide a single point-of-entry to state  
5 government for businesses based in the state and for businesses  
6 looking to establish a presence in the state. The web-based  
7 business portal shall:

8 (1) Provide guidance to users who want to start, operate or  
9 expand a business in the state;

10 (2) Permit e-payments and provide businesses information  
11 about transaction statuses in a paperless environment;

12 (3) Provide business owners with the option to  
13 electronically:

14 (A) Make application, including the payment of fees, for  
15 permits and licenses;

16 (B) Make application, including the payment of fees, for the  
17 renewal of permits and licenses;

18 (C) File annual reports;

19 (D) Pay unemployment taxes;

20 (E) Pay sales and use taxes through a link to the web-based  
21 portal maintained by the Tax Division of the Department of  
22 Revenue for electronic payment; and

23 (F) Pay any other fees or remittances that the business  
24 owners are subject to under state law;

25 (4) Provide businesses with downloadable access to all  
26 editable forms that are necessary for compliance with all  
27 reporting and filing requirements with the following agencies:

28 (A) West Virginia State Tax Department;

29 (B) Workforce West Virginia;

30 (C) West Virginia Division of Labor; and

31 (D) West Virginia Secretary of State;

32 (5) Provide for the electronic filing of documents by city,  
33 county and local governments: *Provided*, That nothing in this  
34 section shall be construed to permit the Secretary of State to  
35 receive tax returns, or any other documents required to be filed  
36 with the State Tax Commissioner, or to require any taxpayer to  
37 file tax returns, or any other documents required to be filed with  
38 the State Tax Commissioner, with the Secretary of State. Nor  
39 shall the Secretary of State be permitted to receive payments for  
40 taxes, including interest, penalties or additions to tax, that are  
41 required to be collected by the Tax Commissioner.  
42 Notwithstanding the foregoing, the Secretary of State and the  
43 Tax Commissioner may develop policies and procedures  
44 allowing the Secretary of State to accept applications and  
45 renewals, and to collect the appropriate fee, for Business  
46 Registration Certificates. *Provided*, further, That nothing in this  
47 section shall be construed as requiring the State Tax

48 Commissioner or the Tax Division of the Department of  
49 Revenue to disclose confidential taxpayer information to the  
50 Secretary of State.

51 (b) The Secretary of State shall establish a consolidated call  
52 center to be staffed by trained and knowledgeable persons who  
53 are able to assist businesses obtain information and services  
54 relating to compliance with state law.

55 (c) The Secretary of State shall:

56 (1) Develop the requirements of the web-based business  
57 portal by August 31, 2015, including but not limited to:

58 (A) Establishing, through cooperative efforts, the standards  
59 and requirements necessary to design, build, implement and  
60 maintain the business portal; and

61 (B) Establishing the standards and requirements necessary  
62 for a state or local agency to participate in the business portal;

63 (2) Coordinate and cooperate with the appropriate entities to  
64 facilitate the payment by businesses of any payments or  
65 remittances made pursuant to this section, via the web-based  
66 business portal; and

67 (3) Propose rules for legislative approval, in accordance with  
68 the provisions of article three, chapter twenty-nine-a of this code,  
69 to implement the provisions of this article.

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

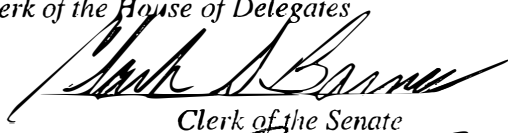
  
Chairman, House Committee

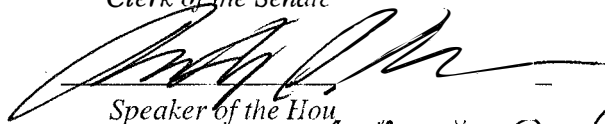
  
Chairman, Senate Committee

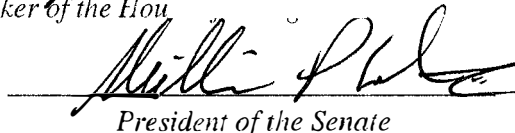
Originating in the House.

In effect ninety days from passage.

  
Clerk of the House of Delegates

  
Clerk of the Senate

  
Speaker of the House

  
President of the Senate

The within is approved this the 15<sup>th</sup>  
day of April, 2015.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 2 / 2015

Time 11:35 am