

LEGISLATIVE LINEUP



YOUR LEGISLATIVE UPDATE FROM CCAWV

Collective County Voices

WWW.CCAWV.ORG - (304) 345-4639

Monday, January 20, 2020
Week 2 of the 2020 WV Legislature

Session 2020 Passes First Bills

After one week, the Legislature passed its first set of bills. The House passed five bills Wednesday while the Senate passed one bill and those will now be sent to the other chamber to take up and go through the process of committee review and passage. Of those bills, a few of note include:

- House Bill 3039 gives courts more discretion when deciding child custody issues. This bill gives preference to the preference of the child. Current law places an age limit of 14 for when to take the child's preference into account. The bill passed 87-11.
- House Bill 4004 creating the West Virginia Sentencing Commission. This would be within the Governor's Committee on Crime, Delinquency and Correction and would review sentencing guidelines for crimes, establish priorities based on the severity of crimes, the length of sentences, parole eligibility, parole, and alternatives to incarceration.
- House Bill 4103 would change some of the structure of the Office of Drug Control Policy within DHHR.
- Senate Bill 94, allowing West Virginians with physical disabilities to vote in primary and general elections by electronic absentee ballot. As of this document, there has been no fiscal note to review any cost to counties.





Elimination of Inventory Tax Proposal

CCAWV is still participating in ongoing discussions with stakeholders regarding this initiative. No more progress has been made but preliminary county numbers were sent out last week. Hopefully we will be able to update everyone this week on next steps.

Following is a list of bills we are following with updates. Still not much movement but we expect the next two weeks to start picking up. Remember our legislative committee meets weekly by phone conference on Thursdays at 3:00 p,m o discuss the issues. Contact this office (304) 345-4639 or any of your legislative







committee members to express concerns. You can find a complete list of all bills and track their progress on the Legislative website: <http://www.legis.state.wv.us/index.cfm>

If you are viewing this report online, you can click on bill numbers to review the full language of the bill or resolution. Be sure to look at the latest version!

Bill	Title	SA/SI	Last Action	Committee Reference	Notes
HJR 12 (None) 	Manufacturing Inventory and Equipment Tax Exemption Amendment		01/08/20 - To House Finance	House Ref. 1 - Finance	Add a note.
HJR 17 (None) 	Business Inventory, Machinery and Equipment Tax Exemption Amendment		01/08/20 - To House Finance	House Ref. 1 - Finance House Ref. 2 - Judiciary	Add a note.
SB 36 (None) 	Establishing Mountaineer Trail Network Recreation Authority		01/08/20 - To Senate Economic Development	Senate Ref. 1 - Economic Development Senate Ref. 2 - Judiciary	***LEGISLATIVE PRIORITY*** A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-14A-1, §20-14A-2, §20-14A-3, §20-14A-4, §20-14A-5, §20-14A-6, §20-14A-7, §20-14A-8, §20-14A-9, §20-14A-10, §20-14A-11, §20-14A-12, and §20-14A-13, all relating to establishing the Mountaineer Trail Network Recreation Authority; providing a statement of legislative purpose and findings; providing definitions; establishing the Mountaineer Trail Network Recreation Authority; providing for a method of appointment to the board of the authority; prescribing the terms of appointment; describing the powers and duties of the authority; limiting the liability of landowners; setting forth purchasing and bidding procedures; providing civil remedies; providing for conflicts of interest; providing criminal penalties; providing for severability; establishing an effective date; and authorizing rulemaking. Edit Delete
SB 49 (None) 	Allowing counties to implement one-percent consumers sales tax in certain circumstances		01/08/20 - To Senate Government Organization	Senate Ref. 1 - Government Organization Senate Ref. 2 - Finance	A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1, relating generally to the Local Control and Accountability Act; providing counties with authority to impose a one percent county sales tax under certain circumstances; clarifying that a county sales

					<p>tax does not apply in municipalities already imposing a municipal sales tax; clarifying applicability of county sales tax when a portion of the county is annexed by a municipality with an existing municipal sales tax; and requiring counties imposing a county sales tax to use the services of the Tax Commissioner to administer the tax.</p> <p style="text-align: right;">Edit Delete</p>
<p>SB 64</p> <p>(None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	Expanding county commissions' ability to dispose of county or district property		01/08/20 - To Senate Government Organization	<p>Senate Ref. 1 - Government Organization</p> <p>Senate Ref. 2 - Judiciary</p>	<p>A BILL to amend and reenact §7-3-3 of the Code of West Virginia, 1931, as amended, relating to expanding county commissions' ability to dispose of county or district property; and adding the ability of county commissions to dispose of the property to a nonprofit community or senior center organization without conducting a public sale.</p> <p style="text-align: right;">Edit Delete</p>
<p>SB 163</p> <p>(None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	Relating to municipal or county taxation of hotel rooms booked through marketplace facilitator		01/09/20 - To Senate Government Organization	<p>Senate Ref. 1 - Government Organization</p> <p>Senate Ref. 2 - Finance</p>	<p>A BILL to amend and reenact §7-18-3 and §7-18-4 of the Code of West Virginia, 1931, as amended, all relating to municipal or county taxation of hotel rooms booked through a marketplace facilitator; defining terms; providing for collection and remittance of the tax imposed by any municipality or county; requiring the marketplace facilitator separately state the tax on all bills, invoices, accounts, books of account, and records relating to occupancy or use of a hotel room; and deeming all taxes collected be held in trust by the marketplace facilitator until remitted.</p> <p style="text-align: right;">Edit Delete</p>
<p>SB 165</p> <p>(None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	Relating to effect on regular levy rate when appraisal results in tax increase		01/09/20 - To Senate Finance	Senate Ref. 1 - Finance	<p>A BILL to amend and reenact §11-8-6e of the Code of West Virginia, 1931, as amended, relating to the effect on regular levy rate when appraisal results in tax increase; and allowing an increase of not more than 10 percent in the total projected property tax revenues realized when current levy rates are imposed by the county commission and the municipalities before requiring a reduction in levy rate or holding public hearing.</p> <p style="text-align: right;">Edit Delete</p>

<p>SB 202 (None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Allowing one member of PSD board to be county commissioner</p>		<p>01/09/20 - To Senate Government Organization</p>	<p>Senate Ref. 1 - Government Organization</p>	<p>A BILL to amend and reenact §16-13A-3 of the Code of West Virginia, 1931, as amended, relating to allowing one member of a public district service board to be a county commissioner of the county commission with authority to appoint the members of the board, regardless of whether the commissioner resides within the district.</p> <p>Edit Delete</p>
<p>SB 209 (None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Repealing annexation by minor boundary adjustment</p>		<p>01/09/20 - To Senate Government Organization</p>	<p>Senate Ref. 1 - Government Organization</p>	<p>A BILL to repeal §8-6-5 of the Code of West Virginia, 1931, as amended, relating to annexation by minor boundary adjustment. Be it enacted by the Legislature of West Virginia: §1. Repeal of section relating to annexation by minor boundary adjustment.</p> <p>Edit Delete</p>
<p>HB 2068 (None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Providing counties the power to establish a county sales tax under certain circumstances</p>		<p>01/08/20 - To House Political Subdivisions</p>	<p>House Ref. 1 - Political Subdivisions House Ref. 2 - Finance</p>	<p>A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-28-1, related to providing counties the power to establish a county sales tax if there is a municipality within their borders participating in the Municipal Home Rule Pilot Program that has enacted a municipal home rule sales tax; establishing county tax will not be in effect for municipality that has enacted municipal home rule sales tax; and requiring county to submit county tax to Tax Commissioner.</p> <p>Edit Delete</p>
<p>HB 2216 (None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Defining the term minor boundary adjustment</p>		<p>01/08/20 - To House Political Subdivisions</p>	<p>House Ref. 1 - Political Subdivisions House Ref. 2 - Judiciary</p>	<p>§8-6-7. Definition of "minor boundary adjustment". As used in this article, "minor boundary adjustment" means 10 percent or less of the existing acreage of the municipality.</p> <p>Edit Delete</p>
<p>HB 2663 (None)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code</p>		<p>01/08/20 - To House Agriculture and Natural Resources</p>	<p>House Ref. 1 - Agriculture and Natural Resources House Ref. 2 - Government Organization</p>	<p>A BILL to amend and reenact §29-3-5b of the Code of West Virginia, 1931, as amended, relating to exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code which may be adopted by any county or municipality.</p> <p>Edit Delete</p>

HB 4144 (None)   	Relating to vacancies in the office of county commissioner		01/13/20 - To House Judiciary	House Ref. 1 - Judiciary	A BILL to amend and reenact §3-10-7 of the Code of West Virginia, 1931, as amended, relating to requiring vacancies in the office of county commissioner be made from a list of three legally qualified persons submitted by the appropriate party's county executive committee. Edit Delete
HB 4355 (None)   	Allowing municipalities and counties to post their annual financial statements on the Internet		01/15/20 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Government Organization	Add a note.

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