

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

## ENROLLED

SENATE BILL NO. 327

(By Mr. Moreland)

PASSED March 9, 1963

In Effect From Passage



Filed in Office of the Secretary of State  
of West Virginia 3-15-63

JOE F. BURDETT  
SECRETARY OF STATE

# 327

**ENROLLED**  
**Senate Bill No. 327**  
(By MR. MORELAND)

---

[Passed March 9, 1963; in effect from passage.]

---

AN ACT to amend and reenact section sixteen, article eight, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increased levies by local levying bodies and the issuance of bonds thereunder.

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

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

**Section 16. What Order for Election to Increase Levies**

**2 to Show; Vote Required; Amount and Continuation of**  
**3 Additional Levy; Issuance of Bonds.**—A local levying  
**4 body may provide for an election to increase the levies,**

5 by entering on its record of proceedings an order setting  
6 forth:

7 (1) The purpose for which additional funds are needed;

8 (2) The amount for each purpose;

9 (3) The total amount;

10 (4) The separate and aggregate assessed valuation of  
11 each class of taxable property within its jurisdiction;

12 (5) The proposed additional rate of levy in cents on  
13 each class of property;

14 (6) The proposed number of years, not to exceed three,  
15 to which the additional levy shall apply, except that in the  
16 case of county boards of education the proposed number  
17 of years shall not exceed five.

18 (7) The fact that the local levying body will or will not  
19 issue bonds, as provided by this section, upon approval  
20 of the proposed increased levy.

21 The local levying body shall submit to the voters within  
22 their political subdivision, the question of the additional  
23 levy at either a general or special election. If at least  
24 sixty per cent of the voters cast their ballots in favor

25 of the additional levy, the local levying body may impose  
26 the additional levy. This levy shall not exceed fifty per  
27 cent of the rates authorized in sections ten and fourteen  
28 of this article for county courts and municipalities, nor  
29 one hundred per cent of the rates authorized in section  
30 twelve of this article for county boards of education, as  
31 the case may be.

32 Levies authorized by this section shall not continue for  
33 more than three years in the case of county courts and  
34 municipalities and five years in the case of county boards  
35 of education without resubmission to the voters.

36 Upon approval of an increased levy as provided by this  
37 section, a local levying body may immediately issue bonds  
38 in an amount not exceeding the amount of the increased  
39 levy plus the total interest thereon, but the term of such  
40 bonds shall not extend beyond the period of such in-  
41 creased levy.

42 Insofar as they might concern the issuance of bonds as  
43 provided for in this section, the provisions of sections  
44 three and four, article one, chapter thirteen of this code  
45 shall not apply: *Provided*, That nothing herein contained

46 shall conflict with the provisions of article ten, section  
47 eight of the constitution of West Virginia.

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

*O. Ray Parker*  
Chairman Senate Committee

*Ethel L. Randall*  
Chairman House Committee

Originated in the Senate.

Takes effect From passage.

*J. L. Humes*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Howard Roberson*  
President of the Senate

*Julius W. Singleton Jr.*  
Speaker House of Delegates

The within approved this the 14th  
day of March, 1963.

*W. W. Baum*  
Governor