WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 253

(By Mr. Carrigan and Martin)

PASSED March 5, 1957

In Effect 90 days from Passage
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Senate Bill No. 253
(By Mr. Carrigan and Mr. Martin)

[Passed March 5, 1957; in effect ninety days from passage.]

AN ACT to provide for the submission to the voters of the state
an amendment to the constitution of the state, amending
article ten thereof by adding thereto a new section, desig-
nated section one-a, relating to exemption of bank de-
posits and money from taxation.

Be it enacted by the Legislature of West Virginia:

Section 1. Submitting an Amendment to the State Con-
stitution.—That the question of the ratification or rejec-
tion of an amendment to the constitution of West Vir-
ginia, proposed in accordance with the provisions of sec-
tion two, article fourteen of said constitution, shall be
submitted to the voters of the state at the next general
That article ten of the constitution be amended by adding thereto a new section, designated section one-a, to read as follows:

"Section 1-a. Notwithstanding the provisions of the preceding section, bank deposits and money shall not be subject to ad valorem property taxation."

Sec. 2. Amendment to Be known as the "Amendment to Exempt Bank Deposits and Money from Taxation".—For convenience in referring to said proposed amendment, and in the preparation of the form of the ballot hereinafter provided for, said proposed amendment is hereby designated as the "Amendment to Exempt Bank Deposits and Money from Taxation".

Sec. 3. Form of Ballot; Election.—For the purpose of enabling the voters of the state to vote on the question of said proposed amendment to the constitution at the said general election to be held in the year one thousand nine hundred fifty-eight, the board of ballot commissioners of each county is hereby required to place upon, and
at the foot of, the official ballot to be voted at that election, the following:

"Ballot on 'Amendment to Exempt Bank Deposits and Money from Taxation'.

For ratification of Amendment to Exempt Bank Deposits and Money from Taxation.

Against ratification of Amendment to Exempt Bank Deposits and Money from Taxation."

The said election on the proposed amendment at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained by the same officers and in the same manner as the election of officers to be voted for at said election, and all the provisions of the law relating to general elections, including all duties to be performed by any officer or board, as far as practicable, and not inconsistent with anything herein contained, shall apply to the election held under the provisions of this act, except when it is herein otherwise provided. The ballots cast on the question of said proposed amendment shall be counted as other ballots cast at said election.
Sec. 4. Certificates of Election Commissioners; Canvass of Vote; Certifying Result.—As soon as the result is ascertained, the commissioners, or a majority of them, and the canvassers (if there be any), or a majority of them, at each place of voting, shall make and sign two certificates thereof in the following form or the following effect:

"We, the undersigned, who acted as commissioners (or canvassers, as the case may be) of the election held at Precinct No. ——, in the district of ———, in the county of ———, on the ——— day of ———, one thousand nine hundred fifty-eight, upon the question of the ratification or rejection of the proposed constitutional amendment, do hereby certify that the result of said election is as follows:

"For ratification of Amendment to Exempt Bank Deposits and Money from Taxation ——— votes.

"Against ratification of Amendment to Exempt Bank Deposits and Money from Taxation ——— votes.

"Given under our hands this ——— day of ———, one thousand nine hundred fifty-eight."
The said two certificates shall correspond with each other in all respects and contain the full and true returns of said election at each place of voting on said question. The said commissioners, or any one of them (or said canvassers or any one of them, as the case may be), shall, within four days, excluding Sunday, after that on which said election was held, deliver one of said certificates to the clerk of the county court of his county, together with the ballots, and the other to the clerk of the circuit court of the county.

The certificates, together with the ballots cast on the question of said proposed amendment, shall be laid before the commissioners of the county court at the courthouse at the same time the ballots, poll books, and the certificates of election of the members of the Legislature are laid before them; and as soon as the result of said election in the county upon the question of such ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners as a board of canvassers, in the form or to the following effect:
"We, the board of canvassers of the county of ___, having carefully and impartially examined the returns of the election held in said county, in each district thereof, on the ___ day of November, one thousand nine hundred fifty-eight, do certify that the results of the election in said county, on the question of the ratification or rejection of the proposed amendment, is as follows:

"For ratification of Amendment to Exempt Bank Deposits and Money from Taxation ___ votes.

"Against ratification of Amendment to Exempt Bank Deposits and Money from Taxation ___ votes.

"Given under our hands this ___ day of ___, one thousand nine hundred fifty-eight."

One of the certificates shall be filed in the office of the clerk of the county court, and the other forwarded by mail to the secretary of state, who shall file and preserve the same until the day on which the result of said election in the state is to be ascertained, as hereinafter stated.

Sec. 5. Proclamation of Result of Election by Governor.

—On the twenty-fifth day after the election is held, or as
soon thereafter as practicable, the said certificates shall be laid before the governor, whose duty it shall be to ascertain therefrom the result of said election in the state, and declare the same by proclamation published in one or more newspapers printed at the seat of government. If a majority of the votes cast at said election upon said question be for ratification of said amendment, the proposed amendment so ratified shall be in force and effect from and after the time of such ratification, as part of the constitution of the state.

Sec. 6 Publication of Proposed Amendment by Governor.—The governor shall cause the said proposed amendment, with the proper designation for the same as hereinbefore adopted, to be published one time at least three months before such election in some newspaper in every county in which a newspaper is printed, at a price to be agreed upon in advance, in writing, and the cost of such advertising in the first instance, if found necessary by him, be paid out of the governor's contingent fund and be afterwards repaid to such fund by appropriation of the Legislature.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 13th day of March, 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia.

MAR 14, 1957
D. PITT O'BRIEN
SECRETARY OF STATE