WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 295

(By Mr. Singleton)

PASSED March 7, 1959

In Effect July 1, 1959

Filed in Office of the Secretary of State of West Virginia MAR 16 1959

JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section fifteen, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to state aid to schools.

Be it enacted by the Legislature of West Virginia:

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

Section 15. Qualification for State Aid; Reductions in County Allocation.—Beginning with the fiscal year, one thousand nine hundred fifty-six—beginning with the fiscal year, one thousand nine hundred fifty-six—one thousand nine hundred fifty-six—one thousand nine hundred fifty-six, in order for a county to qualify for its full allocation of state aid, as provided in this article, the assessed valuation of all non-public utility property in the county for the assessment year one thousand nine hundred
fifty-six must be not less than thirty-five per cent of the appraised value of such non-public utility property as determined by the tax commissioner in his state-wide report to be submitted in January, one thousand nine hundred fifty-six; and for the fiscal year one thousand nine hundred fifty-seven—one thousand nine hundred fifty-eight, such assessed valuation for the assessment year one thousand nine hundred fifty-seven must be not less than forty per cent of the appraised value of such property as determined in the tax commissioner's last previous state-wide report; and during the year one thousand nine hundred fifty-eight—one thousand nine hundred fifty-nine, such assessed valuation for the assessment year one thousand nine hundred fifty-eight must be not less than forty-five per cent of the appraised value so determined; and for each year thereafter such assessed valuation must be not less than fifty per cent of the appraised value of such property as determined by the last previous state-wide report of the tax commissioner.

Whenever for any year a county has failed to raise the assessed valuation of its non-public utility property up to
the assessment level required by the provisions of the pre-
ceeding paragraph, the amount of state aid to be paid to
the county, as determined by the allocation of state aid
made under other provisions of this article, shall be re-
duced as follows: (1) First determine the number of per-
centage points by which the county failed to reach the re-
quired assessment level. (2) Reduce the allocation of state
aid to the county by the same number of percentage
points.

Inasmuch as bank deposits and money, which were ex-
empted from ad valorem taxation by the constitutional
amendment approved by the voters at the last general
election, were included in the tax commissioner’s survey
for the year one thousand nine hundred fifty-eight as pro-
vided by section three of this article, and inasmuch as such
bank deposits and money will not be assessed for the year
one thousand nine hundred fifty nine, it becomes neces-
sary to compensate for such bank deposits and money in-
cluded in the one thousand nine hundred fifty-eight sur-
vey for the purpose of this section. The Legislature finds
that there is no practical means of eliminating bank de-
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50 posits and money in their exact amounts from the survey
51 and hereby authorizes and requires the state board of
52 school finance to substitute the one thousand nine hundred
53 red fifty-eight assessed valuation of class I non-public
54 utility property reported in the tax commissioner's survey
55 of one thousand nine hundred fifty-eight for the one
56 thousand nine hundred fifty-nine assessed valuation of this
57 same property as certified by the assessor wherever such
58 reported one thousand nine hundred fifty-eight assessment
59 exceeds such reported one thousand nine hundred fifty-
60 nine valuation for the purpose of determining the several
61 counties' compliance with the provisions of this section.
62 Until such time as a complete survey for all fifty-five
63 counties of the state can be completed by the tax com-
64 missioner, the local share for each county shall remain the
65 same as was used in the allocation of state aid for the
66 fiscal year one thousand nine hundred fifty-four—one
67 thousand nine hundred fifty-five.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1959

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 16th day of March, 1959.

Governor