

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

58
ENROLLED

SENATE BILL NO. 58

(By Mr. Martin)

PASSED Feb 2 1959

In Effect from Passage



Filed in Office of the Secretary of State
of West Virginia **FEB 10 1959**
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED
Senate Bill No. 58
(By MR. MARTIN)

[Passed February 2, 1959; in effect from passage.]

AN ACT to amend article one, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section designated section thirty-five, relating to the bonded indebtedness of counties, magisterial districts and municipal corporations and providing for the levy and collection of taxes to pay the same.

Be it enacted by the Legislature of West Virginia:

That article one, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section designated section thirty-five, to read as follows:

Section 35. *Bonded Indebtedness of Counties, Magisterial Districts and Municipal Corporations; Levy and Collection of Taxes to Pay the Same.*—Notwithstanding any other provisions of this article or any other law to the contrary, every county, by and through its county court, either for or on behalf of the county, or for and on behalf of any magisterial district, or any group of magisterial districts therein, and any municipal corporation, by and through its council or other governing body in lieu thereof, shall levy and collect in each year a direct annual tax on all the taxable property in such county, magisterial district or districts, or municipality sufficient to pay the principal and interest maturing in such year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, on any bonded indebtedness of such county, magisterial district or districts, or municipality, as the case may be, now or hereafter contracted, not to exceed in the aggregate five per cent of the value of the taxable property therein, to be ascertained in accordance with section eight, article ten of the constitution, which levies shall be laid separate and apart and in

22 addition to the maximum rates provided for tax levies by
23 such counties, magisterial district or districts, or municipi-
24 palities, as the case may be, on the several classes of prop-
25 erty specified in section one, article ten of the constitu-
26 tion, but in the same proportions as such maximum rates
27 are levied on the several classes of property, and which
28 tax may be levied outside the limits fixed by said section
29 one, article ten of the constitution.

30 The order of the county court, either for or on behalf
31 of the county or for and on behalf of any magisterial dis-
32 trict, or any group of magisterial districts therein, or of
33 any municipal corporation, by its council or other govern-
34 ing body in lieu thereof, hereafter adopted calling an elec-
35 tion on the issuance of bonds of such county, magisterial
36 district or districts, or municipality, as the case may be,
37 which together with the existing bonded indebtedness of
38 such county, magisterial district or districts, or municipi-
39 pality, as the case may be, will not exceed in the aggre-
40 gate five per cent of the value of the taxable property
41 in such county, magisterial district or districts, or municipi-
42 pality, as the case may be, the value to be ascertained in

43 accordance with section eight, article ten of the consti-
44 tution, shall contain a statement in substantially the fol-
45 lowing form:

46 Such bonds, together with all existing bonded indebted-
47 ness of such county, magisterial district or districts, or
48 municipality, as the case may be, will not exceed in the
49 aggregate five per cent of the value of the taxable prop-
50 erty in such county, magisterial district or districts, or
51 municipality, as the case may be, ascertained in accord-
52 ance with section eight, article ten of the constitution;
53 and that such bonds will be payable from a direct annual
54 tax levied and collected in each year on all taxable prop-
55 erty in such county, magisterial district or districts, or
56 municipality, as the case may be, sufficient to pay the
57 principal and interest maturing on such bonds in such
58 year, together with any deficiencies for prior years, with-
59 in, and not exceeding thirty-four years, which tax levies
60 will be laid separate and apart and in addition to the max-
61 imum rates provided for tax levies by counties, magis-
62 terial district or districts, or municipalities, as the case
63 may be, on the several classes of property specified in sec-

64 tion one, article ten of the constitution, but in the same
65 proportions as such maximum rates are levied on the sev-
66 eral classes of property; and said tax may be levied out-
67 side the limits fixed by section one, article ten of the con-
68 stitution.

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

Howard Davis, Jr.

Chairman Senate Committee
MEMBER

Audora Andrews

Chairman House Committee

Originated in the Senate.

Takes effect FROM passage.

J. Herman Meyer

Clerk of the Senate

C. Blankenship

Clerk of the House of Delegates

Ralph Bean

President of the Senate

A. R. Pugh

Speaker House of Delegates

The within approved this the 9th
day of February, 1959.

Reid Underwood

Governor

