

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1959

78  
**ENROLLED**

SENATE BILL NO. 78

(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. 78**  
(By MR. MARTIN)

---

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

---

AN ACT to amend and reenact section six-c, article eight, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to maximum levies and levies to pay bond issues by county boards of education.

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

That section six-c, 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 6-c. *Maximum Levies on Each Classification by*  
2 *County Boards of Education; Order of Levy; Exceeding*  
3 *Levy for School Bond Issues.*—County boards of educa-

4 tion are hereby authorized to lay not in excess of the  
5 following maximum levies, for the purposes specified and  
6 in the following order:

7 (1) With respect to a magisterial, independent or other  
8 school district existing in a county prior to May twenty-  
9 second, one thousand nine hundred thirty-three, or any  
10 special taxing district for which the board of education  
11 is required to lay the levy, for the payment of (a) interest  
12 and sinking fund requirements for bonded indebtedness  
13 incurred prior to the adoption of the tax limitation amend-  
14 ment; and (to the extent not so required), (b) other  
15 legally incurred contractual indebtedness not bonded, if  
16 any, incurred prior to the adoption of the tax limitation  
17 amendment as follows: On class I property, thirty-five  
18 one-hundredths of one cent; on class II property, seven-  
19 tenths of one cent; and on classes III and IV property,  
20 one and four-tenths cents.

21 (2) For either or both of (a) the permanent improve-  
22 ment fund, and (b) the payment of interest and sinking  
23 fund requirements for bonded indebtedness incurred sub-  
24 sequent to the adoption of the tax limitation amendment,

25 as follows: On class I property, one and five-tenths cents;  
26 on class II property, three cents; and on classes III and IV  
27 property, six cents.

28 (3) For the general current expenses of schools as fol-  
29 lows: On class I property, twenty-one and one-tenth  
30 cents; on class II property, forty-two and two-tenths  
31 cents; and on classes III and IV property, eighty-four and  
32 four-tenths cents. But if the tax commissioner has ap-  
33 proved the levy of an additional amount for the general  
34 current expenses of the county as authorized by section  
35 six-b, subsection three, the amount of the levy authorized  
36 for boards of education by this subsection shall be re-  
37 duced by the tax commissioner to that extent.

38 If the rates of levy under paragraph (2) above are  
39 not required in whole or in part for the purposes for  
40 which they are allocated by this section, the county board  
41 of education may, with the prior written approval of the  
42 state board of school finance, created by section three,  
43 article nine-b, chapter eighteen of the code, as amended,  
44 lay such rates of levy or portion thereof not so required,  
45 for the general current expenses of schools: *Provided,*

46 *however*, That if the rates of levy under paragraph (3)  
47 of this section are not sufficient for the purposes for which  
48 they are allocated, the county board of education may,  
49 with the prior written approval of the state tax commis-  
50 sioner, lay such additional rates of levy or portion thereof,  
51 as are surrendered by the county court under paragraph  
52 (3), section six-b of this article: *Provided further*, That  
53 a county board of education shall be required to levy  
54 outside the levy rates hereinabove provided sufficient  
55 to pay the principal and interest requirements on bonds  
56 now or hereafter issued by any school district not exceed-  
57 ing in the aggregate five per cent of the assessed value of  
58 all taxable property in the county school district, to be  
59 ascertained by the last assessment for state and county  
60 taxes, previous to the incurring of such indebtedness, in  
61 the manner provided by sections eight and ten, article  
62 ten of the constitution as ratified.

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

*Samuel Davis, Jr.*  
Chairman Senate Committee  
MEMBER

*Eudora Andrews*  
Chairman House Committee

Originated in the Senate.

Takes effect *From* passage.

*Thomas Myers*  
Clerk of the Senate

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

*Ralph Bean*  
President of the Senate

*H. D. Pender*  
Speaker House of Delegates

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

*Walter Underwood*  
Governor

