

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

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 M. Ryan
 Clerk of the Senate

C. G. Blankenship
 Clerk of the House of Delegates

Ralph W. Bean
 President of the Senate

H. V. Pender
 Speaker House of Delegates

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

W. H. Underwood
 Governor