WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED
SENATE BILL NO. 1914
(By Mr. McCourt)

PASSED March 11th, 1961
In Effect July 1st, 1961

Filed in Office of the Secretary of State of West Virginia
MAR 17 1961
JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

Senate Bill No. 194
(By MR. McCOURT)

[Passed March 11, 1961; in effect July 1, 1961.]

AN ACT to amend and reenact section five, article ten, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to county funds.

Be it enacted by the Legislature of West Virginia:

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

Section 5. County Funds.—The amount of the county fund provided each year by a county court shall not be less than twelve per cent of the total which the county is legally authorized to levy for current purposes by section ten, article eight, chapter eleven of the code of West
Provided, however, That the said twelve per cent of such total shall not be required to be provided by the county court if it shall be determined, prior to the laying of the county's levies, that an amount less than such per cent will be sufficient to meet the reasonably anticipated general needs of the county. Such a determination shall require the agreement of at least two of the following persons: The tax commissioner, the state director, and the member of the county court who is ex officio member of the county council at the time such determination is made. Such a determination shall be in writing; shall state the specific amount determined upon as sufficient to meet the reasonably anticipated general relief needs of the county; shall be signed by the three persons designated or by at least two of them; and shall be filed of record in the office of the tax commissioner. Complete duplicates shall be filed in the office of the state director and with the county court, respectively. The county court shall levy for general relief not less than the amount so determined and agreed: Provided further, That if a
county court finds that expenditures mandatory under other provisions of law aggregate in excess of eighty-eight per cent of the total amount which the county court is authorized by law to levy for current purposes, the court may petition the tax commissioner for authority to provide an amount less than that required by the first paragraph of this section. If the tax commissioner finds that other mandatory expenditures for the county will exceed eighty-eight per cent of the authorized total levy for current purposes, he may authorize the county court to provide a lesser amount than that required by said first paragraph, but he shall require the maximum amount possible under the circumstances.
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 July 1, 1961, passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 17th day of March, 1961.

Governor