WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED
SENATE BILL NO. 221

(By Mr. Susman)

PASSED MARCH 7, 1972

In Effect 90 Days From Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-29-72
AN ACT to amend and reenact sections four, ten and thirteen, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to price restrictions on the purchase and resale of bonds administered by the state sinking fund commission.

Be it enacted by the Legislature of West Virginia:
That sections four, ten and thirteen, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. STATE SINKING FUND COMMISSION.

§13-3-4. Investment of sinking funds.

1 It shall be the duty of said commission to keep all sinking funds, under its control, invested. The sinking fund of each political division shall be first invested in the political division’s own bonds, if the same are available for purchase. If no such bonds can be purchased for investment or retirement, then it shall be the duty of the commission to invest the sinking funds in bonds issued by other political divisions of the state. If bonds of the political division cannot be purchased for investment or retirement and there are no bonds of other political divisions of the state available for purchase, then it shall be the duty of the commission to invest the sinking funds in the bonds or treasury certificates of the government of the United States or bonds of this state. But any bonds so purchased shall be bonds which mature before the bonds mature for which the sinking fund was created. Before any bond shall be purchased by the commission, either for investment or retirement (unless the same be purchased at maturity according to the condition of the bond), the purchase must be
authorized by a recorded vote of the commission showing the approval of three fourths of all the members. No bond shall be purchased for more than the current market value and accrued interest. The interest fund shall be used for the purpose of paying the interest on the outstanding bonds as the same falls due.

§13-3-10. Resale of bonds purchased by the commission.

Any bonds purchased by the commission in pursuance of the provisions of the preceding sections of this article may be resold by the commission when, in its opinion, it is necessary or desirable for the successful operation of the commission. Before any such sale shall be made, however, the sale shall be authorized by a recorded vote of the commission, showing the approval of three fourths of all the members, and no bond shall be sold for an amount less than the current market value, plus accrued interest. The proceeds of such sale shall be credited to the proper fund out of which the bonds were purchased: Provided, That the profit accruing upon any bonds offered to the secretary of state under the provisions of article one of this chapter, and purchased by the state sinking fund commission and sold by said commission at a premium, shall be credited to the sinking fund of the political division issuing the bonds for the payment of said bonds and any interest thereon.

§13-3-13. Resale of bonds to other funds.

The commission shall, when requested by the governor, sell such treasury certificates or bonds, held as temporary investment for state funds, to some other fund under its control, or sell the same to the workmen's compensation fund: Provided, That under this section no bond may be purchased for more than or sold for less than the current market value.
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.

To take effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______ this the _______ day of _______ , 1972.

Governor
PRESENTED TO THE GOVERNOR

Date 3/11/72
Time 6:20 p.m.