WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED
Cons sub. for
SENATE BILL NO. 4

PASSED February 13, 1974

In Effect from Passage

FILED IN THE OFFICE
EDGAR F. HEISKELL, III
SECRETARY OF STATE
THIS DATE 2-22-74
AN ACT to amend article thirty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four, authorizing municipalities to appropriate funds for the benefit of certain health institutions; setting forth certain legislative findings; defining the term "health institution"; specifying certain conditions and limitations; relating to accounting for such funds; and specifying that indebtedness shall not be created.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 32. INTERGOVERNMENTAL RELATIONS — CONTRIBUTIONS TO OR INVOLVEMENT WITH NONSTOCK, NONPROFIT CORPORATIONS OR HEALTH INSTITUTIONS FOR PUBLIC PURPOSES.

PART IV. HEALTH INSTITUTIONS.

§8-32-4. Legislative findings; authority of municipalities to make appropriations; limitations and restrictions.

1 (a) The Legislature hereby finds that the support of public or nonprofit health institutions dedicated to making
available to the general public health and mental health
services is for the general welfare of the public and is a
public purpose for which funds of a municipality may be
lawfully expended. This section is enacted in view of this
finding and shall be liberally construed in the light there-
of. As used in this section, the term "health institution"
means a hospital, health or mental health clinic, regional
or community health or mental health center, mental
retardation facility, extended care facility, nursing home,
or other health or mental health institution, which is
open to the general public.

(b) Notwithstanding any statutory or charter provision
to the contrary, a municipality is hereby empowered and
authorized to appropriate funds, subject to the conditions
and limitations set forth in this section, for the establish-
ment, cost, operation, maintenance and projects of any
health institution, whether such health institution be
situate within or without the corporate limits of such
municipality. Funds may not be appropriated by a munic-
ipality for the benefit and use of any health institution
unless such health institution is either owned and operated
by a unit of government, or is owned and operated by a
nonstock, nonprofit corporation chartered under the laws
of this state which provides in its charter that no member
trustee or member of the board of directors (by what-
ever name the same may be called) shall receive any
compensation, gain or profit from such corporation and
which is operated in compliance with such charter pro-
visions. Any such appropriation shall be made from the
general funds of such municipality not otherwise appro-
priated or from federal revenue sharing funds received
by such municipality.

(c) The recipient of any funds appropriated under the
provisions of this section shall upon demand at any time
make a full and complete accounting of all such funds to
the governing body of the municipality which made such
appropriation and shall in every event without demand
make to such governing body an annual accounting
thereof.

(d) Under no circumstances whatever shall any action
taken by any municipality under the authority of this
section give rise to or create any indebtedness on the part of such municipality, the governing body of such municipality, any member of such governing body or any municipal official or employee.
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 from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 22nd day of February, 1974.

Governor
PRESENTED TO THE
GOVERNOR

Date 2/18/74
Time 4:35 p.m.