WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

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ENROLLED
Committee Substitute for
SENATE BILL NO. 462

(By Senator Brettner, et al.)

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PASSED March 6, 1986
In Effect 90 days from Passage
AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article seven, relating to additional funding for adult literacy education programs; coordinating such programs through the department of education, other state agencies and volunteer groups; declaring legislative intent; delineating program activities; providing for funding; authorizing state personal income tax voluntary contribution check-off; providing for disposition and use of funds; requiring annual report; and providing an effective date.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7. ADULT LITERACY EDUCATION PROGRAM.

§18-7-1. Adult literacy education program; legislative intent.

1 It is in the public interest that the adult citizens of this
state be literate so that the quality of their own lives may be enhanced and they may contribute to the well-being and advancement of the entire state through increased productivity. The intent of this legislation is to provide additional funding for the education of adults in the basic literacy skills of reading, writing and computation.

Activities in this program include:
(a) Identification and recruitment of persons over the age of twenty-one who are deficient in their basic literacy skills;
(b) Establishment of a literacy outreach program using tutors and teachers to educate individuals at locations convenient to the adult learners, including, but not limited to, work sites, schools, libraries, churches and community centers. The literacy outreach programs shall be designed to assist persons in achieving a level of functional literacy or high school equivalency skill levels;
(c) Expansion of adult basic education programs;
(d) An increase in the number of full-time and part-time volunteer tutors and teachers to provide these services; and
(e) Coordination of the efforts of the West Virginia department of education, other appropriate state agencies and volunteer groups.

§18-7-2. Disposition and use of funds.

The financing of the adult literacy education program will be derived from a voluntary check-off and contribution designation on state personal income tax return forms of a portion or all of a taxpayer's refund. This financing shall be supplemental to any existing revenues, legislative appropriations, private or public grants, gifts or bequests made available for this purpose.

Moneys made available pursuant to this section shall be placed in an account of the West Virginia board of education designated the "Adult Literacy Education Program Fund" and expended solely for the purpose of teaching adult residents of West Virginia the basic literacy skills of reading, writing and computation pursuant to section one of this article.

The state board of education shall furnish the Legislature with a report of activities and expenditures under this program by the fifteenth day of January of each year.
§18-7-3. Contribution of portion of income tax refund to adult literacy education program fund.

(a) Contributions to the adult literacy education program fund will be derived, in part, from voluntary contributions of a portion or all of a state tax refund due, as designated by taxpayers on state personal income tax return forms.

(b) Each West Virginia personal income tax return form shall contain a designation as follows:

"ADULT LITERACY EDUCATION PROGRAM

Check if you wish to designate a portion of your tax refund to this program:

$1 (  ) $5 (  ) $10 (  ) Other $_______(  )

If joint return, check if spouse wishes to designate a portion of tax refund:

$1 (  ) $5 (  ) $10 (  ) Other $_______(  )"

Each individual taxpayer desiring to voluntarily contribute to this program may so indicate by placing an "X" in the appropriate box on the state personal income tax return form. The contribution shall be credited to the adult literacy education program fund.

(c) The tax commissioner shall determine by the first day of July of each year the total amount designated pursuant to this section and shall report that amount to the state treasurer who shall credit that amount to the adult literacy education program fund.

(d) The provisions of this section shall apply to tax return forms filed on and after the first day of January, one thousand nine hundred eighty-seven.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Williams  
Chairman Senate Committee

Floyd Freller  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Joseph C. Locke  
Clerk of the Senate

Donald L. Long  
Clerk of the House of Delegates

Dan Tonkovich  
President of the Senate

Joseph P. Alwington  
Speaker House of Delegates

The within is approved this the 25th day of March 1986.

Andrew N. Sherrod  
Governor