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2014 MAR 26 A 10: 09

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2014



**ENROLLED**

**House Bill No. 4302**

(By Delegates Skaff, Guthrie, Poore, Wells,  
Perry, Pasdon and Walters)



Passed March 6, 2014

In effect ninety days from passage.

HB4302

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**E N R O L L E D**

**H. B. 4302**

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**(BY DELEGATES SKAFF, GUTHRIE, POORE, WELLS,  
PERRY, PASDON AND WALTERS)**

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**AN ACT to amend and reenact §11-8-17 of the Code of West Virginia, 1931, as amended; to amend and reenact §13-1-13 of said code; and to amend and reenact §18-9-2 of said code, all relating to elections for public school purposes; clarifying certain language; and designating the county commission as the board of canvassers to canvass the returns of all levy and bond elections for public school purposes.**

***Be it enacted by the Legislature of West Virginia:***

**That §11-8-17 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that §13-1-13 of said code be amended and reenacted; and that §18-9-2 of said code be amended and reenacted, all to read as follows:**

DELETED

CHAPTER 11. TAXATION.

PC ARTICLE 8. LEVIES.

**§11-8-17. Special levy elections; notices; election officers; conduct of election; supplies; canvass of returns; form of ballot.**

1 (a) The local levying body shall publish a notice, calling the  
2 election, as a Class II-0 legal advertisement in compliance with  
3 the provisions of article three, chapter fifty-nine of this code, and  
4 the publication area for such publication shall be the territory in  
5 which the election is held. Such notice shall be so published  
6 within fourteen consecutive days next preceding the election.

7 (b) All the provisions of the law concerning general elections  
8 shall apply so far as they are practicable, except as follows:

9 (1) Where a special election is held, the local levying body,  
10 having due regard to the minimum expense involved, shall  
11 determine the number of election officials necessary to properly  
12 conduct said election, which number shall in no case be less than  
13 three commissioners and two clerks, and shall appoint the same  
14 and fix and pay their compensation, but otherwise the election  
15 officials shall be such as are appointed to serve with respect to  
16 the general election held at the same time.

17 (2) The local levying body shall provide the election supplies  
18 necessary for such election and shall canvass the returns thereof:  
19 *Provided*, That the county commission is the board of canvassers  
20 to canvass the returns of levy elections called by the board of  
21 education.

22 (c) A separate ballot shall be used at a levy election held in  
23 connection with any other election. The ballot shall be entitled:  
24 "Special election to authorize additional levies for the year(s)  
25 \_\_\_\_\_ and for the purpose of \_\_\_\_\_ according  
26 to the order of the \_\_\_\_\_ entered on the \_\_\_\_\_  
27 day of \_\_\_\_\_."

28       The additional levy shall be on Class I property \_\_\_\_\_  
 29 cents; on Class II property \_\_\_\_\_ cents; on Class III  
 30 property (if any) \_\_\_\_\_ cents; on Class IV property  
 31 (if any) \_\_\_\_\_ cents.

## CHAPTER 13. PUBLIC BONDED INDEBTEDNESS.

### ARTICLE 1. BOND ISSUES FOR ORIGINAL INDEBTEDNESS.

#### §13-1-13. Time and manner of canvassing returns.

1       The authorities calling bond elections shall canvass the  
 2 returns at the same time with reference to the election and in the  
 3 same manner as is required of county commissions for general  
 4 elections: *Provided*, That the county commission is the board of  
 5 canvassers to canvass the returns of bond elections called by the  
 6 board of education.

## CHAPTER 18. EDUCATION.

### ARTICLE 9. SCHOOL FINANCES.

#### §18-9-2. Elections under this chapter; procedure.

1       Any and all elections authorized by this chapter for school  
 2 purposes may, unless otherwise provided, be held separately or  
 3 in connection with any general or special election. Notice of an  
 4 election shall be given by the publication of the order of the  
 5 board calling the same as a Class II-0 legal advertisement in  
 6 compliance with the provisions of article three, chapter fifty-nine  
 7 of this code, and the publication area for such publication is the  
 8 territory in which the election is to be held. The order shall be  
 9 published within fourteen consecutive days next preceding the  
 10 day of election. All provisions of the law concerning general and  
 11 special elections apply in these elections insofar as is practicable.  
 12 In cases of special elections the board calling the election shall  
 13 appoint necessary election officers. The secretary of the board  
 14 shall procure and furnish to the election commissioners at each  
 15 place of voting the ballots, poll books, tally sheets and other

16 election supplies necessary for the election. In calling elections,  
17 district and county boards of education shall follow the forms  
18 prescribed by the Attorney General. For all elections authorized  
19 by this chapter for school purposes, the county commission is the  
20 board of canvassers to canvass the returns.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Jerry Wells*

Chairman, House Committee

*[Signature]*

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

*Gregg M. Day*

Clerk of the House of Delegates

*Joseph M. Minard*

Clerk of the Senate

*[Signature]*

Speaker of the House of Delegates

*[Signature]*

President of the Senate

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The within is approved this the 26th  
day of March, 2014.

*Earl Ray Tomblin*  
Governor

PRESENTED TO THE GOVERNOR

MAR 17 2014

Time 3:30 pm