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.
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:
CHAPTER 11. TAXATION.

ARTICLE 8. LEVIES.

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

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

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

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

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

(c) A separate ballot shall be used at a levy election held in connection with any other election. The ballot shall be entitled: "Special election to authorize additional levies for the year(s) ________ and for the purpose of ______________ according to the order of the ______________ entered on the _____ day of ______________."
The additional levy shall be on Class I property _________
cents; on Class II property ________________ cents; on Class III
property (if any) ________________ cents; on Class IV property
(if any) ____________ cents.

CHAPTER 13. PUBLIC BONDED INDEBTEDNESS.

ARTICLE 1. BOND ISSUES FOR ORIGINAL INDEBTEDNESS.


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

CHAPTER 18. EDUCATION.

ARTICLE 9. SCHOOL FINANCES.

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

Any and all elections authorized by this chapter for school
purposes may, unless otherwise provided, be held separately or
in connection with any general or special election. Notice of an
election shall be given by the publication of the order of the
board calling the same as a Class II-0 legal advertisement in
compliance with the provisions of article three, chapter fifty-nine
of this code, and the publication area for such publication is the
territory in which the election is to be held. The order shall be
published within fourteen consecutive days next preceding the
day of election. All provisions of the law concerning general and
special elections apply in these elections insofar as is practicable.
In cases of special elections the board calling the election shall
appoint necessary election officers. The secretary of the board
shall procure and furnish to the election commissioners at each
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.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the day of , 2014.

Governor
PRESENTED TO THE GOVERNOR

MAR 17 2014

Time 3:30 pm