

1 **H. B. 2511**

2
3 (By Delegates Ennis, Givens, Swartzmiller, Jones,
4 Ferro, M. Poling, Romine, Evans, Pethtel, T. Campbell
5 and Azinger)
6

7 [Introduced January 17, 2011; referred to the
8 Committee on Education then Finance.]
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10 A BILL to amend and reenact §13-1-2 of the Code of West Virginia,
11 1931, as amended, relating to permitting a county board of
12 education to include in any revenue bond for construction
13 projects the cost of demolition of buildings to be replaced.

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

15 That §13-1-2 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 1. BOND ISSUES FOR ORIGINAL INDEBTEDNESS.**

18 **§13-1-2. Purposes for which bonds may be issued.**

19 (a) Debt may be incurred and bonds issued under this article
20 for the purpose of acquiring, constructing and erecting, enlarging,
21 extending, reconstructing or improving any building, work, utility
22 or undertaking, or for furnishing, equipping and acquiring or
23 procuring the necessary apparatus for any building, work,
24 improvement or department, or for establishing and maintaining a
25 library or museum for the public use, or a building or structure
26 for educational purposes, or acquiring a recreation park for the

1 public use, or for acquiring, constructing, furnishing, equipping
2 and maintaining civic arenas, auditoriums, exhibition halls and
3 theaters, or for other similar corporate purpose, or for the
4 acquiring, constructing, maintaining, repairing, improving public
5 roads and transportation facilities, for which the political
6 division is authorized to levy taxes or expend public money. But
7 no bonds shall be issued for the purpose of providing funds for the
8 current expenses of any body or political division. Interest
9 accruing during the construction period, that is to say, the time
10 when an improvement is under construction and six months
11 thereafter, shall be deemed a part of the cost of the improvement,
12 and shall not be deemed current expenses. All engineering and
13 inspection costs, including a proper proportion of the
14 compensation, salaries and expenses of the engineering staff of the
15 political division properly chargeable to any work or improvements,
16 as determined by the governing body, or the estimated amount of
17 such costs, shall be deemed part of the cost of an improvement.
18 All costs and estimated costs of the issuance of bonds shall be
19 deemed a part of the cost of the work or improvement, or of the
20 property, or of the carrying out of the purposes for which such
21 bonds are to be issued. The power to acquire or construct any
22 building, work or improvement as herein provided shall be deemed to
23 include the power to acquire the necessary lands, sites and
24 rights-of-way therefor.

25 **(b)** Bonds may also be issued by any municipality having a

1 population of fifty thousand or more or by any county for the
2 purpose of acquiring land and constructing a building or buildings
3 for use and occupancy as a college. The proposal for such a bond
4 issue shall contain a provision that there shall be created a
5 commission or committee for the purpose of operating the building
6 or buildings and for renting the same for an amount sufficient to
7 pay the interest and sinking fund on the bonds proposed to be
8 issued, and shall contain a further provision that in the event a
9 sufficient amount is not realized from rent or rents for the
10 purpose of meeting the debt service, then the city or county shall
11 lay a levy for such purpose in an amount sufficient within the
12 constitutional and statutory limitation to pay the interest and
13 principal on such bonds as the same become due and payable. The
14 proposal may also contain a provision that when the bonds and the
15 interest thereon shall have been paid, then the title to the land
16 and the building or buildings situated thereon may be transferred
17 to the college to which the same have been rented.

18 (c) In addition to other authority granted to county boards of
19 education pursuant to this article, a county board of education
20 may, as part of the cost of construction projects for a public
21 school in the county, issue bonds that include costs related to the
22 demolition or destruction of school buildings or structures being
23 replaced.

NOTE: The purpose of this bill is to permit county boards of

education to include in any revenue bond for construction projects the cost of demolition of buildings being replaced.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.