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SENATE JOINT RESOLUTION NO. 4

(By Senator Plymale)

[Introduced January 12, 2011; referred to the Committee on the
Judiciary; and then to the Committee on Finance.]

Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof by adding thereto a new section, designated section twelve, relating to simple majority rule on all county, city, school district and municipal excess levies and bonds; and allowing counties, cities, school districts and municipal corporations to approve, by a vote of the people, excess levies and issue bonds by a majority of the votes cast for and against the same; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

1 That the question of ratification or rejection of an amendment
2 to the Constitution of the State of West Virginia be submitted to
3 the voters of the state at the next general election to be held in
4 the year 2012, which proposed amendment is that article X thereof
5 be amended by adding thereto a new section, designated section
6 twelve, to read as follows:

7 **ARTICLE X. TAXATION AND FINANCE.**

8 **§12. Simple Majority Approval for All County, City, School**
9 **District and Municipal Corporation Levies and Bonds.**

10 Notwithstanding the provisions of section one or eight of this
11 article relating to a vote of the people or any other provision of
12 this Constitution to the contrary, a county, city, school district
13 or municipal corporation may contract indebtedness and issue bonds
14 for purpose as provided by law, if, when submitted to a vote of the
15 people of the county, city, school district or municipal
16 corporation, in the manner provided by law, the question of
17 contracting indebtedness and issuing bonds is approved by a
18 majority of the votes cast for and against the same.

19 Notwithstanding the provisions of section one or eight of this
20 article relating to a vote of the people or any other provision of
21 this Constitution to the contrary, a county, city, school district
22 or municipal corporation may increase tax levies in the amount and
23 manner as provided by law, if, when submitted to a vote of the
24 people of the county, city, school district or municipal
25 corporation, in the manner provided by law, the question of

1 increasing tax levies is approved by a majority of the votes cast
2 for and against the same.

3 *Resolved further,* That in accordance with the provisions of
4 article eleven, chapter three of the Code of West Virginia, 1931,
5 as amended, the proposed amendment is hereby numbered "Amendment 1"
6 and designated as the "The Silenced Majority Local Levy and Bond
7 Amendment" and the purpose of the proposed amendment is summarized
8 as follows: "To allow a simple majority approval for all county,
9 city, school district and municipal levies bonds."

NOTE: The purpose of this joint resolution is to allow the
citizens of an county, city, school district or municipal
corporation in the State of West Virginia to approve a levy or bond
by a simple majority of its voters.