

SENATE JOINT RESOLUTION NO. 9

(By Senators Plymale, Kessler (Acting President),
Unger, Browning and Jenkins)

[Introduced February 1, 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; 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:

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

ARTICLE X. TAXATION AND FINANCE.

§12. Simple majority approval for all county, city, school district and municipal corporation levies and bonds.

1 Notwithstanding the provisions of section one or eight of
2 this article relating to a vote of the people or any other
3 provision of this Constitution to the contrary, a county, city,
4 school district or municipal corporation may contract
5 indebtedness and issue bonds for purpose as provided by
6 law, if, when submitted to a vote of the people of the county,
7 city, school district or municipal corporation, in the manner
8 provided by law, the question of contracting indebtedness
9 and issuing bonds is approved by a majority of the votes cast
10 for and against the same.

11 Notwithstanding the provisions of section one or eight of
12 this article relating to a vote of the people or any other
13 provision of this Constitution to the contrary, a county, city,

14 school district or municipal corporation may increase tax
15 levies in the amount and manner as provided by law, if, when
16 submitted to a vote of the people of the county, city, school
17 district or municipal corporation, in the manner provided by
18 law, the question of increasing tax levies is approved by a
19 majority of the votes cast for and against the same.

20 *Resolved further*, That in accordance with the provisions
21 of article eleven, chapter three of the Code of West Virginia,
22 1931, as amended, the proposed amendment is hereby
23 numbered “Amendment 1” and designated as “The Silenced
24 Majority Local Levy and Bond Amendment” and the purpose
25 of the proposed amendment is summarized as follows: “To
26 allow a simple majority approval for all county, city, school
27 district and municipal levies and bonds.”

(NOTE: The purpose of this joint resolution is to allow the citizens of a 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.

This section is new; therefore, underscoring and strike-throughs have been omitted.)