

Senate Bill No. 573

(By Senator Cookman)

[Introduced March 19, 2013; referred to the Committee on
Education.]

A BILL to amend and reenact §18-9-3a of the Code of West Virginia,
1931, as amended, relating to publication of financial
statements by county boards of education; providing that only
a notice of availability of the statement be published; and
providing that the cost of publishing the notice be paid from
the board's general fund.

Be it enacted by the Legislature of West Virginia:

That §18-9-3a of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 9. SCHOOL FINANCES.

**§18-9-3a. Preparation, publication and disposition of financial
statements by county boards of education.**

The county board of every county, within ninety days after the
beginning of each fiscal year, shall prepare on a form to be

1 prescribed by the State Tax Commissioner and the State
2 Superintendent of ~~free~~ Schools ~~and cause to be published a~~
3 statement revealing: (a) The receipts and expenditures of the
4 board during the previous fiscal year arranged under descriptive
5 headings; (b) the name of each firm, corporation and person who
6 received more than \$250 in the aggregate from all funds during the
7 previous fiscal year, together with the aggregate amount received
8 from all funds and the purpose for which paid: *Provided, That such*
9 the statement ~~shall~~ may not include the name of any person who has
10 entered into a contract with this board pursuant to the provisions
11 of sections two, three, four and five, article two, chapter
12 eighteen-a of this code; and (c) all debts of the board, the
13 purpose for which each debt was contracted, its due date, and to
14 what date the interest thereon has been paid. ~~Such~~ A notice of
15 availability of the statement shall be published as a Class I-0
16 legal advertisement in compliance with the provisions of article
17 three, chapter fifty-nine of this code, and the publication area
18 for ~~such the~~ publication ~~shall be~~ is the county. The county board
19 shall pay the cost of publishing ~~such statement~~ the notice from the
20 ~~maintenance~~ general fund of the board.

21 As soon as is practicable following the close of the fiscal
22 year, a copy of the ~~published~~ statement ~~herein required~~ shall be
23 filed by the county board with the State Tax Commissioner and with
24 the State Superintendent of ~~free~~ Schools.

1 The county board shall transmit to any resident of the county
2 requesting ~~the same~~ it a copy of the ~~published~~ statement for the
3 fiscal year designated, supplemented by a list of the names of all
4 school personnel employed by the board during ~~such~~ the fiscal year
5 showing the amount paid to each, and a list of the names of each
6 firm, corporation, and person who received less than \$500 from any
7 fund during ~~such~~ the fiscal year showing the amount paid to each
8 and the purpose for which paid.

NOTE: The purpose of this bill is to provide that after a county board of education has prepared its annual financial statement only a notice of availability of the statement must be published. The bill also provides that the cost of publishing the notice be paid from the board's general fund.

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