

1 **ENROLLED**

2 **H. B. 4302**

3
4 (By Delegates Skaff, Guthrie, Poore, Wells,
5 Perry, Pasdon and Walters
6

7 [Passed March 6, 2014; in effect ninety days from passage.]
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10 AN ACT to amend and reenact §11-8-17 of the Code of West Virginia,
11 1931, as amended; to amend and reenact §13-1-13 of said code;
12 and to amend and reenact §18-9-2 of said code, all relating to
13 elections for public school purposes; clarifying certain
14 language; and designating the county commission as the board
15 of canvassers to canvass the returns of all levy and bond
16 elections for public school purposes.

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

18 That §11-8-17 of the Code of West Virginia, 1931, as amended,
19 be amended and reenacted; that §13-1-13 of said code be amended and
20 reenacted; and that §18-9-2 of said code be amended and reenacted,
21 all to read as follows:

22 **CHAPTER 11. TAXATION.**

23 **ARTICLE 8. LEVIES.**

24 **§11-8-17. Special levy elections; notices; election officers;**

1 **conduct of election; supplies; canvass of returns;**
2 **form of ballot.**

3 (a) The local levying body shall publish a notice, calling the
4 election, as a Class II-0 legal advertisement in compliance with
5 the provisions of article three, chapter fifty-nine of this code,
6 and the publication area for such publication shall be the
7 territory in which the election is held. Such notice shall be so
8 published within fourteen consecutive days next preceding the
9 election.

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

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

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

1 (c) A separate ballot shall be used at a levy election held in
 2 connection with any other election. The ballot shall be entitled:
 3 "Special election to authorize additional levies for the year(s)
 4 _____ and for the purpose of _____ according to the
 5 order of the _____ entered on the _____ day of
 6 _____."

7 The additional levy shall be on Class I property _____
 8 cents; on Class II property _____ cents; on Class III
 9 property (if any) _____ cents; on Class IV property (if
 10 any) _____ cents.

11 **CHAPTER 13. PUBLIC BONDED INDEBTEDNESS.**

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

13 **§13-1-13. Time and manner of canvassing returns.**

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

20 **CHAPTER 18. EDUCATION.**

21 **ARTICLE 9. SCHOOL FINANCES.**

22 **§18-9-2. Elections under this chapter; procedure.**

23 Any and all elections authorized by this chapter for school

1 purposes may, unless otherwise provided, be held separately or in
2 connection with any general or special election. Notice of an
3 election shall be given by the publication of the order of the
4 board calling the same as a Class II-0 legal advertisement in
5 compliance with the provisions of article three, chapter fifty-nine
6 of this code, and the publication area for such publication is the
7 territory in which the election is to be held. The order shall be
8 published within fourteen consecutive days next preceding the day
9 of election. All provisions of the law concerning general and
10 special elections apply in these elections insofar as is
11 practicable. In cases of special elections the board calling the
12 election shall appoint necessary election officers. The secretary
13 of the board shall procure and furnish to the election
14 commissioners at each place of voting the ballots, poll books,
15 tally sheets and other election supplies necessary for the
16 election. In calling elections, district and county boards of
17 education shall follow the forms prescribed by the Attorney
18 General. For all elections authorized by this chapter for school
19 purposes, the county commission is the board of canvassers to
20 canvass the returns.