

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4466

BY DELEGATES BARNHART, MARTIN, FERRELL, G. WARD,
WAMSLEY, STATLER, J. KELLY, ANDERSON, ELLINGTON,
SMITH, AND CLARK

[Introduced January 31, 2022; referred
to the Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-9D-4e, relating to seeking contribution of School Building Authority funds
3 to support a local capital improvement bond finance plan; providing for application to the
4 School Building Authority; requiring initial approval prior to conducting bond levy election;
5 requiring conditional language in materials referencing School Building Authority
6 participation; and establishing time limit for project completion.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9D. SCHOOL BUILDING AUTHORITY.

§18-9D-4e. County request for School Building Authority contribution to local bond funding, provisional terms for levy election.

1 A county board of education may apply to the School Building Authority to serve as a part
2 of the county's finance plan for a proposed capital improvement bond levy to be submitted to the
3 voters of that county. To apply, the county board of education shall first submit a request to the
4 executive director of the Authority at least nine months prior to county's proposed bond election.
5 After initial consultation with the executive director, the county board of education shall prepare a
6 written outline of the bond finance plan, the capital improvements to be made with levy funds, and
7 the amount and timing of funding requested from the School Building Authority. The county school
8 board will then present its request at a meeting of the members of the Authority.

9 If the county intends to use financial support from the Authority as part of its bond funding
10 plan, the county may not proceed with a bond levy election without first obtaining initial approval
11 from the School Building Authority.

12 Grants of School Building Authority financial assistance are contingent upon passage of
13 the bond levy election and final approval by the School Building Authority of the county's project
14 and financial plan. Any materials produced by the county or its county board of education that
15 refer to School Building Authority shall include a statement of this contingency and terms.

16 Upon passage of bond levy election, the county school board shall have four years to

17 finalize the project.

NOTE: The purpose of this bill is to codify current procedures for county boards of education to partner with the School Building Authority as a funding source in support of local capital improvement bond levies.

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