

**H. B. 2530**

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(By Delegates Morgan, Perdue, Boggs, Pethtel,  
Rohrbach, Hornbuckle, Sobonya and Miller)

[Introduced February 2, 2015 ; referred to the  
Committee on Education then Finance.]

10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
11 designated §10-1-23, relating to establishing a Library Facilities Improvement Fund that will  
12 serve to support library facilities construction, maintenance and improvement projects;  
13 setting forth the general structure of fund and distribution of funds; and providing for  
14 rule-making.

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

16 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
17 section, designated §10-1-23, to read as follows:

18 **ARTICLE 1. PUBLIC LIBRARIES.**

19 **§10-1-23. Library Facilities Improvement Fund.**

20 (a) There is created in the State Treasury a special fund known as the "Library Facilities  
21 Improvement Fund". The fund shall be administered by the West Virginia Library Commission and  
22 used to effectuate the purposes of this section.

23 (b) The fund shall consist of moneys received from the following sources:

1 (1) All appropriations provided by the Legislature to support library facilities improvements;

2 (2) Any moneys available from external sources;

3 (3) Repayment of loans made by the West Virginia Library Commission pursuant to this  
4 section; and

5 (4) All interest and other income earned from investment of moneys in the fund.

6 (c) The West Virginia Library Commission shall utilize moneys in the fund to support public  
7 library facilities construction, renovation, maintenance and improvement projects. Projects shall be  
8 evaluated on a competitive basis.

9 (1) The West Virginia Library Commission may utilize a portion of the moneys in the fund  
10 to provide loans to public libraries to support energy savings and critical maintenance projects.

11 (2) With the exception of loans under this section, all moneys expended from the funds shall  
12 be matched on at least a dollar-for-dollar basis from funds obtained from other sources.

13 (d) The West Virginia Library Commission shall propose a rule for legislative approval in  
14 accordance with article three, chapter twenty-nine-a of this code to implement the provisions of this  
15 section. The rule shall contain at least the following:

16 (1) A process for submitting and reviewing proposals;

17 (2) The content of proposals;

18 (3) Criteria for evaluating proposals; and

19 (4) Other provisions the West Virginia Library Commission considers necessary to  
20 administer the program in accordance with this section.

21 (e) Any balance, including accrued interest and any other returns, in the Library Facilities  
22 Improvement Fund at the end of each fiscal year will not expire to the General Revenue Fund but

1 remain in the fund and be expended for the purposes provided by this section.

2 (f) The West Virginia Library Commission may use up to four percent of the amount  
3 provided to the fund for administrative expenses.

4 (g) Fund balances may be invested with the State's Consolidated Investment Fund. Earnings  
5 on the investments shall be used solely for the purposes defined in subsections (c) and (e) of this  
6 section.

NOTE: The purpose of this bill is to create a Library Facilities Improvement Fund, to set forth its general structure and provide for rule-making.

This section is new; therefore, it has been completely underscored.