

HB 2160 (veto)

FILED

2015 APR -2 P 12: 35

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2015



**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2160**

(By Delegate(s) Rowan, Cowles, Perry,  
Williams, Hamilton, Anderson, Pasdon, Duke,  
Espinosa, Miley and E. Nelson)



Passed March 14, 2015

In effect from passage.

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COMMITTEE SUBSTITUTE

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

for

## H. B. 2160

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(BY DELEGATE(S) ROWAN, COWLES, PERRY,  
WILLIAMS, HAMILTON, ANDERSON, PASDON, DUKE,  
ESPINOSA, MILEY AND E. NELSON)

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[Passed March 14, 2015;  
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AN ACT to amend and reenact §18-9D-2, §18-9D-3, §18-9D-4c and §18-9D-16 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-9D-22, all relating to making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority.

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

That §18-9D-2, §18-9D-3, §18-9D-4c and §18-9D-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new section, designated §18-9D-22, all to read as follows:

**ARTICLE 9D. SCHOOL BUILDING AUTHORITY.**

**§18-9D-2. Definitions.**

1 For the purposes of this article, unless a different meaning  
2 clearly appears from the context:

3 (1) "Authority" means the School Building Authority of  
4 West Virginia;

5 (2) "Bonds" means bonds issued by the authority pursuant  
6 to this article;

7 (3) "Construction project" means a project in the furtherance  
8 of a facilities plan with a cost greater than \$1 million for the new  
9 construction, expansion or major renovation of facilities,  
10 buildings and structures for school purposes, including:

11 (A) The acquisition of land for current or future use in  
12 connection with the construction project;

13 (B) New or substantial upgrading of existing equipment,  
14 machinery and furnishings;

15 (C) Installation of utilities and other similar items related to  
16 making the construction project operational.

17 (D) Construction project does not include such items as  
18 books, computers or equipment used for instructional purposes;  
19 fuel; supplies; routine utility services fees; routine maintenance  
20 costs; ordinary course of business improvements; other items  
21 which are customarily considered to result in a current or  
22 ordinary course of business operating charge or a major  
23 improvement project;

24 (4) "Cost of project" means the cost of construction,  
25 expansion, renovation, repair and safety upgrading of facilities,  
26 buildings and structures for school purposes; the cost of land,

27 equipment, machinery, furnishings, installation of utilities and  
28 other similar items related to making the project operational; and  
29 the cost of financing, interest during construction, professional  
30 service fees and all other charges or expenses necessary,  
31 appurtenant or incidental to the foregoing, including the cost of  
32 administration of this article;

33 (5) "County board" or "county" means a county board of  
34 education as provided in article five of this chapter and includes  
35 the West Virginia Schools for the Deaf and the Blind as provided  
36 in article seventeen of this chapter when acting with the approval  
37 of the West Virginia Board of Education to submit, request and  
38 receive an award of funds or services for projects under the  
39 provisions of this article.

40 (6) "Facilities plan" means the ten-year countywide  
41 comprehensive educational facilities plan established by a  
42 county board in accordance with guidelines adopted by the  
43 authority to meet the goals and objectives of this article, or a  
44 facilities plan established by the administration of the West  
45 Virginia Schools for the Deaf and Blind that:

46 (A) Addresses the existing school facilities and facility needs  
47 of the county, or the Schools for the Deaf and Blind, to provide  
48 a thorough and efficient education in accordance with the  
49 provisions of this code and policies of the state board;

50 (B) Best serves the needs of individual students, the general  
51 school population and the communities served by the facilities,  
52 including, but not limited to, providing for a facility  
53 infrastructure that avoids excessive school bus transportation  
54 times for students consistent with sound educational policy and  
55 within the budgetary constraints for staffing and operating the  
56 schools of the county;

57 (C) Includes the school major improvement plan;

58 (D) Includes the county board's school access safety plan  
59 required by section three, article nine-f of this chapter;

60 (E) Is updated annually to reflect projects completed, current  
61 enrollment projections and new or continuing needs; and

62 (F) Is approved by the state board and the authority prior to  
63 the distribution of state funds pursuant to this article to any  
64 county board or other entity applying for funds;

65 (7) "Project" means a construction project or a major  
66 improvement project;

67 (8) "Region" means the area encompassed within and  
68 serviced by a regional educational service agency established  
69 pursuant to section twenty-six, article two of this chapter;

70 (9) "Revenue" or "revenues" means moneys:

71 (A) Deposited in the School Building Capital Improvements  
72 Fund pursuant to section ten, article nine-a of this chapter;

73 (B) Deposited in the School Construction Fund pursuant to  
74 section thirty, article fifteen, chapter eleven of this code and  
75 section eighteen, article twenty-two, chapter twenty-nine of this  
76 code;

77 (C) Deposited in the School Building Debt Service Fund  
78 pursuant to section eighteen, article twenty-two, chapter  
79 twenty-nine of this code;

80 (D) Deposited in the School Major Improvement Fund  
81 pursuant to section thirty, article fifteen, chapter eleven of this  
82 code;

83 (E) Received, directly or indirectly, from any source for use  
84 in any project completed pursuant to this article;

85 (F) Received by the authority for the purposes of this article;  
86 and

87 (G) Deposited in the Excess Lottery School Building Debt  
88 Services Fund pursuant to section eighteen-a, article twenty-two,  
89 chapter twenty-nine of this code;

90 (10) "School major improvement plan" means a ten-year  
91 school maintenance plan that:

92 (A) Is prepared by a county board in accordance with the  
93 guidelines established by the authority and incorporated in its  
94 Countywide Comprehensive Educational Facilities Plan, or is  
95 prepared by the state board or the administrative council of an  
96 area vocational educational center in accordance with the  
97 guidelines if the entities seek funding from the authority for a  
98 major improvement project, or is prepared by the administration  
99 of the West Virginia Schools for the Deaf and Blind;

100 (B) Addresses the regularly scheduled maintenance for all  
101 school facilities of the county or under the jurisdiction of the  
102 entity seeking funding;

103 (C) Includes a projected repair and replacement schedule for  
104 all school facilities of the county or of the entity seeking  
105 funding;

106 (D) Addresses the major improvement needs of each school  
107 within the county or under the jurisdiction of the entity seeking  
108 funding; and

109 (E) Is required prior to the distribution of state funds for a  
110 major improvement project pursuant to this article to the county  
111 board, state board or administrative council; and

112 (11) "School major improvement project" means a project  
113 with a cost greater than \$50 thousand and less than \$1 million

114 for the renovation, expansion, repair and safety upgrading of  
115 existing school facilities, buildings and structures, including the  
116 substantial repair or upgrading of equipment, machinery,  
117 building systems, utilities and other similar items related to the  
118 renovation, repair or upgrading in the furtherance of a school  
119 major improvement plan. A major improvement project does not  
120 include such items as books, computers or equipment used for  
121 instructional purposes; fuel; supplies; routine utility services  
122 fees; routine maintenance costs; ordinary course of business  
123 improvements; or other items which are customarily considered  
124 to result in a current or ordinary course of business operating  
125 charge-;

126 (12) "Schools for the Deaf and Blind" or "West Virginia  
127 Schools for the Deaf and Blind" means the Schools for the Deaf  
128 and Blind established or continued under article seventeen of this  
129 chapter.

**§18-9D-3. Powers of authority.**

1 The School Building Authority has the power:

2 (1) To sue and be sued, plead and be impleaded;

3 (2) To have a seal and alter the same at pleasure;

4 (3) To contract to acquire and to acquire, in the name of the  
5 authority, by purchase, lease-purchase not to exceed a term of  
6 twenty-five years, or otherwise, real property or rights or  
7 easements necessary or convenient for its corporate purposes and  
8 to exercise the power of eminent domain to accomplish those  
9 purposes;

10 (4) To acquire, hold and dispose of real and personal  
11 property for its corporate purposes;

12 (5) To make bylaws for the management and rule of its  
13 affairs;

14 (6) To appoint, contract with and employ attorneys, bond  
15 counsel, accountants, construction and financial experts,  
16 underwriters, financial advisers, trustees, managers, officers and  
17 such other employees and agents as may be necessary in the  
18 judgment of the authority and to fix their compensation:  
19 *Provided*, That contracts entered into by the School Building  
20 Authority in connection with the issuance of bonds under this  
21 article to provide professional and technical services, including,  
22 without limitation, accounting, actuarial, underwriting,  
23 consulting, trustee, bond counsel, legal services and contracts  
24 relating to the purchase or sale of bonds are subject to the  
25 provisions of article three, chapter five-a of this code: *Provided*,  
26 *however*, That notwithstanding any other provisions of this code,  
27 any authority of the Attorney General of this state relating to the  
28 review of contracts and other documents to effectuate the  
29 issuance of bonds under this article shall be exclusively limited  
30 to the form of the contract and document: *Provided further*, That  
31 the Attorney General of this state shall complete all reviews of  
32 contracts and documents relating to the issuance of bonds under  
33 this article within ten calendar days of receipt of the contract and  
34 document for review;

35 (7) To make contracts and to execute all instruments  
36 necessary or convenient to effectuate the intent of and to  
37 exercise the powers granted to it by this article;

38 (8) To renegotiate all contracts entered into by it whenever,  
39 due to a change in situation, it appears to the authority that its  
40 interests will be best served;

41 (9) To acquire by purchase, eminent domain or otherwise all  
42 real property or interests in the property necessary or convenient  
43 to accomplish the purposes of this article;

44 (10) To require proper maintenance and insurance of any  
45 project authorized under this section, including flood insurance

46 for any facility within the one hundred year flood plain, at which  
47 authority funds are expended;

48 (11) To charge rent for the use of all or any part of a project  
49 or buildings at any time financed, constructed, acquired or  
50 improved, in whole or in part, with the revenues of the authority;

51 (12) To assist the West Virginia Schools for the Deaf and  
52 Blind or any county board of education that chooses to acquire  
53 land, buildings and capital improvements to existing school  
54 buildings and property for use as public school facilities, by  
55 lease from a private or public lessor for a term not to exceed  
56 twenty-five years with an option to purchase pursuant to an  
57 investment contract with the lessor on such terms and conditions  
58 as may be determined to be in the best interests of the authority,  
59 the State Board of Education and, if applicable, the county board  
60 of education, consistent with the purposes of this article, by  
61 transferring funds to the State Board of Education as provided in  
62 subsection (d), section fifteen of this article for the use of the  
63 county board of education;

64 (13) To accept and expend any gift, grant, contribution,  
65 bequest or endowment of money and equipment to, or for the  
66 benefit of, the authority or any project under this article, from  
67 the State of West Virginia or any other source for any or all of  
68 the purposes specified in this article or for any one or more of  
69 such purposes as may be specified in connection with the gift,  
70 grant, contribution, bequest or endowment;

71 (14) To enter on any lands and premises for the purpose of  
72 making surveys, soundings and examinations;

73 (15) To contract for architectural, engineering or other  
74 professional services considered necessary or economical by the  
75 authority to provide consultative or other services to the

76 authority or to any regional educational service agency, the West  
77 Virginia Schools for the Deaf and Blind or any county board  
78 requesting professional services offered by the authority, to  
79 evaluate any facilities plan or any project encompassed in the  
80 plan, to inspect existing facilities or any project that has received  
81 or may receive funding from the authority or to perform any  
82 other service considered by the authority to be necessary or  
83 economical. Assistance to the region, school or district may  
84 include the development of preapproved systems, plans, designs,  
85 models or documents; advice or oversight on any plan or project;  
86 or any other service that may be efficiently provided by the  
87 authority to regional educational service agencies, the state  
88 board, county boards or the West Virginia Schools for the Deaf  
89 or Blind;

90 (16) To provide funds on an emergency basis to repair or  
91 replace property damaged by fire, flood, wind, storm, earthquake  
92 or other natural occurrence, the funds to be made available in  
93 accordance with guidelines of the School Building Authority;

94 (17) To transfer moneys to custodial accounts maintained by  
95 the School Building Authority with a state financial institution  
96 from the school construction fund and the school improvement  
97 fund created in the State Treasury pursuant to the provisions of  
98 section six of this article, as necessary to the performance of any  
99 contracts executed by the School Building Authority in  
100 accordance with the provisions of this article;

101 (18) To enter into agreements with county boards and  
102 persons, firms or corporations to facilitate the development of  
103 projects and facilities plans. The county board participating in  
104 an agreement shall pay at least twenty-five percent of the cost of  
105 the agreement. Nothing in this section may be construed to  
106 supersede, limit or impair the authority of county boards to  
107 develop and prepare their projects or plans;

108       (19) To encourage any project or part thereof to provide  
109 opportunities for students to participate in supervised, unpaid  
110 work-based learning experiences related to the student's program  
111 of study approved by the county board or the administration of  
112 the West Virginia Schools for the Deaf and Blind. The  
113 work-based learning experience shall be conducted in  
114 accordance with a formal training plan approved by the  
115 instructor, the employer and the student. The experience shall set  
116 forth at a minimum the specific skills to be learned, the required  
117 documentation of work-based learning experiences, the  
118 conditions of the placement, including duration and safety  
119 provisions, and provisions for supervision and liability insurance  
120 coverage as applicable. Projects involving the new construction  
121 and renovation of vocational-technical and adult education  
122 facilities should provide opportunities for students to participate  
123 in supervised work-based learning experiences, to the extent  
124 practical, which meet the requirements of this subdivision.  
125 Nothing in this subdivision may be construed to affect registered  
126 youth apprenticeship programs or the provisions governing those  
127 programs; and

128       (20) To do all things necessary or convenient to carry out the  
129 powers given in this article.

**§18-9D-4c. School Building Authority authorized to temporarily  
finance projects through the issuance of loans, notes  
or other evidences of indebtedness.**

1       The School Building Authority may by resolution, in  
2 accordance with the provisions of this article, temporarily  
3 finance the cost of projects and other expenditures permitted  
4 under this article for public schools in this state, including, but  
5 not limited to, comprehensive high schools, comprehensive  
6 middle schools and the West Virginia Schools for the Deaf and  
7 Blind. The financing may be issued through loans, notes or other  
8 evidences of indebtedness: the outstanding principal amount of

9 which may not exceed \$16 million at any one time. The principal  
10 of, interest and premium on, and fees associated with any  
11 temporary financing shall be payable solely from the proceeds  
12 of bonds or the sources from which any bonds are payable under  
13 this article.

**§18-9D-16. Authority to establish guidelines and procedures for facilities and major improvement plans; guidelines for modifications and updates, etc.; guidelines for project evaluation; submission of certified list of projects to be funded; department on-site inspection of facilities; enforcement of required changes or additions to project plans.**

1 (a) The authority shall establish guidelines and procedures  
2 to promote the intent and purposes of this article and assure the  
3 prudent and resourceful expenditure of state funds for projects  
4 under this article including, but not limited to, the following:

5 (1) Guidelines and procedures for the facilities plans, school  
6 major improvement plans and projects submitted in the  
7 furtherance of the plans that address, but are not limited to, the  
8 following:

9 (A) All of the elements of the respective plans as defined in  
10 section two of this article;

11 (B) The procedures for a county or the administration of the  
12 West Virginia Schools for the Deaf and Blind to submit a  
13 preliminary plan, a plan outline or a proposal for a plan to the  
14 authority prior to the submission of the facilities plan. The  
15 preliminary plan, plan outline or proposal for a plan shall be the  
16 basis for a consultation meeting between representatives of the  
17 county or the administration of the West Virginia Schools for the  
18 Deaf and Blind and members of the authority, including at least  
19 one citizen member. The meeting shall be held promptly

20 following submission of the preliminary plan, plan outline or  
21 proposal for a plan to assure understanding of the general goals  
22 of this article and the objective criteria by which projects will be  
23 evaluated, to discuss ways the plan may be structured to meet  
24 those goals, and to assure efficiency and productivity in the  
25 project approval process;

26 (C) The manner, time line and process for the submission of  
27 each plan and annual plan updates to the authority;

28 (D) The requirements for public hearings, comments or other  
29 means of providing broad-based input on plans and projects  
30 under this article within a reasonable time period as the authority  
31 may consider appropriate. The submission of each plan must be  
32 accompanied by a synopsis of all comments received and a  
33 formal comment by the county board, the state board or the  
34 administrative council of an area vocational educational center  
35 submitting the plan;

36 (E) Any project specifications and maintenance  
37 specifications considered appropriate by the authority including,  
38 but not limited to, such matters as energy efficiency, preferred  
39 siting, construction materials, maintenance plan and any other  
40 matter related to how the project is to proceed;

41 (F) A prioritization by the county board, the state board or  
42 the administrative council submitting the plan of each project  
43 contained in the plan. The prioritization shall be determined in  
44 accordance with the objective criteria formulated by the School  
45 Building Authority in accordance with this section. The priority  
46 list is one of the criteria that shall be considered by the authority  
47 in deciding how the available funds should be expended;

48 (G) The objective means to be set forth in the plan and used  
49 in evaluating implementation of the overall plan and each project  
50 included in the plan. The evaluation shall measure how the plan

51 addresses the goals of this article and any guidelines adopted  
52 under this article, how each project is in furtherance of the  
53 facilities plan and school major improvement plan, as applicable,  
54 the importance of the project to the overall success of the  
55 facilities plan or school major improvement plan, and the overall  
56 goals of the authority; and

57 (H) Any other matters considered by the authority to be  
58 important reflections of how a construction project or a major  
59 improvement project will further the overall goals of this article.

60 (2) Guidelines and procedures which may be adopted by the  
61 authority for requiring that a county board modify, update,  
62 supplement or otherwise submit changes or additions to an  
63 approved facilities plan or for requiring that a county board, the  
64 state board or the administrative council of an area vocational  
65 educational center modify, update, supplement or otherwise  
66 submit changes or additions to an approved school major  
67 improvement plan. The authority shall provide reasonable  
68 notification and sufficient time for the change or addition as  
69 delineated in its guidelines. The guidelines shall require an  
70 update of the estimated duration of school bus transportation  
71 times for students associated with any construction project under  
72 consideration by the authority that includes the closure,  
73 consolidation or construction of a school or schools.

74 (3) Guidelines and procedures for evaluating project  
75 proposals that are submitted to the authority that address, but are  
76 not limited to, the following:

77 (A) Any project funded by the authority shall be in  
78 furtherance of the facilities plan or school major improvement  
79 plan and in compliance with the guidelines established by the  
80 authority;

81 (B) If a project is to benefit more than one county in the  
82 region, the facilities plan shall state the manner in which the cost

83 and funding of the project will be apportioned among the  
84 counties;

85 (C) If a county board proposes to finance a construction  
86 project through a lease with an option to purchase pursuant to an  
87 investment contract as described in subsection (f), section fifteen  
88 of this article, the specifications for the project must include the  
89 term of the lease, the amount of each lease payment, including  
90 the payment due upon exercise of the option to purchase, and the  
91 terms and conditions of the proposed investment contract; and

92 (D) The objective criteria for the evaluation of projects  
93 which shall include, but is not limited to, the following:

94 (i) How the current facilities do not meet and how the plan  
95 and any project under the plan meet the following:

96 (I) Student health and safety including, but not limited to,  
97 critical health and safety needs;

98 (II) Economies of scale, including compatibility with similar  
99 schools that have achieved the most economical organization,  
100 facility use and pupil-teacher ratios;

101 (III) Reasonable travel time and practical means of  
102 addressing other demographic considerations. The authority may  
103 not approve a project that includes a school closure,  
104 consolidation or new construction for which a new bus route will  
105 be created for transporting any prekindergarten through fifth  
106 grade students to and from any school included in the project, if  
107 the route exceeds by more than fifteen minutes the recommended  
108 one-way school bus transportation duration time for elementary  
109 students adopted by the state board pursuant to section five-d,  
110 article two-e of this chapter, unless the county has received the  
111 written permission of the state board to create the route in  
112 accordance with said section five-d;

113 (IV) Multicounty and regional planning to achieve the most  
114 effective and efficient instructional delivery system;

115 (V) Curriculum improvement and diversification, including  
116 the use of instructional technology, distance learning and access  
117 to advanced courses in science, mathematics, language arts and  
118 social studies;

119 (VI) Innovations in education;

120 (VII) Adequate space for projected student enrollments;

121 (VIII) The history of efforts taken by the county board to  
122 propose or adopt local school bond issues or special levies to the  
123 extent Constitutionally permissible; and

124 (IX) Regularly scheduled preventive maintenance; and

125 (ii) How the project will assure the prudent and resourceful  
126 expenditure of state funds and achieve the purposes of this  
127 article for constructing, expanding, renovating or otherwise  
128 improving and maintaining school facilities for a thorough and  
129 efficient education.

130 (4) Guidelines and procedures for evaluating projects for  
131 funding that address, but are not limited to, the following:

132 (A) Requiring each county board's facilities plan and school  
133 major improvement plan to prioritize all the construction  
134 projects or major improvement projects, respectively, within the  
135 county. A school major improvement plan submitted by the state  
136 board or the administrative council of an area vocational  
137 educational center shall prioritize all the school improvement  
138 projects contained in the plan. The priority list shall be one of the  
139 criteria to be considered by the authority in determining how  
140 available funds shall be expended. In prioritizing the projects,  
141 the county board, the state board or the administrative council

142 submitting a plan shall make determinations in accordance with  
143 the objective criteria formulated by the School Building  
144 Authority;

145 (B) The return to each county submitting a project proposal  
146 an explanation of the evaluative factors underlying the decision  
147 of the authority to fund or not to fund the project; and

148 (C) The allocation and expenditure of funds in accordance  
149 with this article, subject to the availability of funds.

150 (b) Prior to final action on approving projects for funding  
151 under this article, the authority shall submit a certified list of the  
152 projects to the Joint Committee on Government and Finance.

153 (c) The State Department of Education shall conduct on-site  
154 inspections, at least annually, of all facilities which have been  
155 funded wholly or in part by moneys from the authority or state  
156 board to ensure compliance with the county board's facilities  
157 plan and school major improvement plan as related to the  
158 facilities; to preserve the physical integrity of the facilities to the  
159 extent possible; and to otherwise extend the useful life of the  
160 facilities. The state board shall submit reports regarding the  
161 inspections to the authority within thirty days of completion. The  
162 state board shall promulgate rules regarding the on-site  
163 inspections and matters relating thereto, in consultation with the  
164 authority, and shall submit proposed rules for legislative review.

165 (d) Based on its on-site inspection or notification by the  
166 authority to the state board that the changes or additions to a  
167 county board's facilities plan or school major improvement plan  
168 have not been implemented within the time period prescribed by  
169 the authority, the state board shall restrict the use of the  
170 necessary funds or otherwise allocate funds from moneys  
171 appropriated by the Legislature for those purposes set forth in  
172 section nine, article nine-a of this chapter.

**§18-9D-22. Eligibility of the West Virginia Schools for the Deaf and Blind to participate in all types of funding administered or distributed by the authority.**

1 (a) The Legislature finds that:

2 (1) The Legislature's constitutional obligation to provide a  
3 thorough and efficient public education for the children of West  
4 Virginia includes providing a thorough and efficient education  
5 for the children of West Virginia who are deaf and blind;

6 (2) The Legislature has endeavored to fulfill this obligation  
7 with the creation, maintenance and operation of the West  
8 Virginia Schools for the Deaf and Blind, established and  
9 continued under article seventeen of this chapter;

10 (3) The West Virginia Schools for the Deaf and Blind have  
11 for generations provided educational services to children from  
12 each of West Virginia's fifty-five counties;

13 (4) The facilities of the West Virginia Schools for the Deaf  
14 and Blind are in need of substantial improvements;

15 (5) The West Virginia Schools for the Deaf and Blind have  
16 no local levy which supports their operations, and depend  
17 completely upon the appropriations from the state;

18 (6) The West Virginia Schools for the Deaf and Blind have  
19 no borrowing authority nor revenue stream that can serve as a  
20 source of servicing debt;

21 (7) Questions have arisen as to whether or not it is  
22 permissible for the School Building Authority to distribute to the  
23 West Virginia Schools for the Deaf and Blind financial  
24 assistance for the construction and improvement of their  
25 facilities; and

26       (8) The West Virginia Schools for the Deaf and Blind should  
27 have access to and be eligible to receive all types of funding  
28 provided to county boards by the authority.

29       (b) Notwithstanding any provision of this code to the  
30 contrary:

31       (1) The West Virginia Schools for the Deaf and Blind are  
32 eligible to participate in all funding distributed by the authority;  
33 and

34       (2) The authority may distribute to the West Virginia  
35 Schools for the Deaf and Blind funds as it determines to be  
36 appropriate.

37       (c) The authority may not require the contribution of local  
38 funds for a project of the West Virginia Schools for the Deaf and  
39 Blind, nor penalize the consideration or priority ranking of a  
40 project of the schools for lack of local project funds. The state  
41 board may apply for funds for education programs under its  
42 jurisdiction for projects at the West Virginia Schools for the  
43 Deaf and Blind.

19 [Enr. Com. Sub. for H. B. No. 2160

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman, House Committee

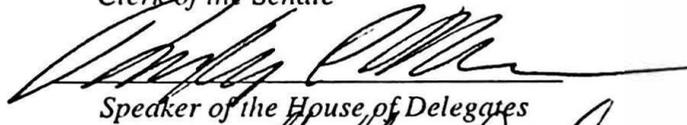
  
Chairman, Senate Committee

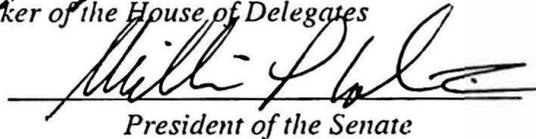
Originating in the House.

In effect from passage.

  
Clerk of the House of Delegates

  
Clerk of the Senate

  
Speaker of the House of Delegates

  
President of the Senate

The within is suspended this the 15  
day of April, 2015.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2015

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