

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3376**

By Delegates Moore, Jeffries, B. Smith, and Dittman

[Introduced March 14, 2025; referred to the  
Committee on Education then Finance]

1 A BILL to amend and reenact §11-8-17 of the Code of West Virginia, 1931, as amended, relating to  
2 providing for the Save the School Levy Act; and providing that an emergency levy election  
3 may be conducted outside of a normally scheduled primary or election date for the purpose  
4 of holding a special levy election to address impending school consolidation issues.

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

## **ARTICLE 8. LEVIES.**

### **§11-8-17. Special levy elections; notices; conduct of election; supplies; canvass of returns; form of ballot; special circumstances for proposed school consolidations.**

1 (a) The local levying body shall publish a notice, calling the election, as a Class II-0 legal  
2 advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and the publication  
3 area for such publication shall be the territory in which the election is held. Such notice shall be so  
4 published within 14 consecutive days next preceding the election.

5 (b) All the provisions of the law concerning general elections shall apply so far as they are  
6 practicable: *Provided*, That notwithstanding any provision of this code to the contrary, in the case  
7 of a levy which expires at a time after July 1, 2022, and which shall not be up for renewal at the  
8 next regularly scheduled primary or general election thereafter, the local levying body shall by  
9 ordinance choose to hold the election to renew that levy either at the next regularly scheduled  
10 primary or general election in accordance with §3-1-31 of this code: *Provided, however*, That  
11 notwithstanding any other provision of this code, a local levying body may enter an order  
12 authorizing a special election prior to the expiration of the existing or expiring levy for the purpose  
13 of presenting to the voters the question of synchronizing the renewal of an existing or expiring levy  
14 with a future regularly scheduled primary or general election, which question shall pass upon  
15 adoption by a majority of participating voters: *Provided further*, That in the case of impending  
16 school consolidations, the provisions of subsection (e) of this section may apply.

17 (c) The question on the special levy shall be placed on the ballot in accordance with the  
18 ballot placement order prescribed by §3-5-13a(a) of this code. The question heading shall be

entitled: "Special Levy Election" and the question shall be significantly in the following form:  
"Special election to authorize additional levies for the year(s) \_\_\_\_\_ and for the purpose  
of \_\_\_\_\_ according to the order of the \_\_\_\_\_ entered on the \_\_\_\_\_  
day of \_\_\_\_\_."

The additional levy shall be on Class I property \_\_\_\_\_ cents; on Class II property  
\_\_\_\_\_ cents; on Class III property (if any) \_\_\_\_\_ cents; on Class IV  
property (if any) \_\_\_\_\_ cents.

(d) In the event that a majority of the votes cast upon a question submitted pursuant to this  
section at any primary election be against the question, the question may again be submitted to  
the voters at the next succeeding general election.

(e) In the event that an impending school consolidation is before a county, an emergency  
levy election may be conducted outside of a normally scheduled primary or election date for the  
purpose of holding a special levy election to address and resolve school consolidation issues.

NOTE: The purpose of this bill is to provide for the Save the School Levy Act. The bill  
provides that an emergency levy election may be conducted outside of a normally  
scheduled primary or election date for the purpose of holding a special levy election to  
address school consolidation issues.

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