

Senate Bill No. 625

(By Senator Plymale)

[Introduced March 22, 2013; referred to the Committee on
Government Organization.]

A BILL to amend and reenact §12-3-18 of the Code of West Virginia,
1931, as amended, relating to payment of claims by a body
charged with the administration of the fiscal affairs of any
county, school district, independent school district or
municipality.

Be it enacted by the Legislature of West Virginia:

That §12-3-18 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 3. APPROPRIATIONS, EXPENDITURES AND DEDUCTIONS.

**§12-3-18. Paying itemized statement of claims against counties,
school districts or municipalities.**

~~It shall be unlawful for any county court~~ Every county
commission, board of education or the council of a municipal
corporation, or other body charged with the administration of the

1 fiscal affairs of any county, school district, independent school
2 district or municipality, ~~to~~ shall pay any properly authorized
3 itemized claim for services rendered or materials furnished ~~unless~~
4 ~~an itemized account therefor is filed by the claimant covering the~~
5 ~~claim. Such account shall be itemized in detail, and shall show,~~
6 ~~among other things, the following: If the claim is for services,~~
7 ~~it shall show the kind of service, the dates when same was~~
8 ~~performed and the name of the person performing it; if the claim is~~
9 ~~for material or supplies furnished, the claim shall show in detail~~
10 ~~the kind of material or supplies, the quantity, dates of delivery~~
11 ~~and to whom delivered; and if the claim is for road or bridge work~~
12 ~~or for road or bridge material, the amount of which claim is for~~
13 ~~material in excess of \$5 or for labor in excess of \$25, the claim~~
14 ~~shall be verified by the affidavit of the person making it, and in~~
15 ~~such affidavit the person making the claim shall be required to~~
16 ~~state that the services performed or materials furnished, as set~~
17 ~~forth in such claim, were actually performed or actually furnished,~~
18 ~~and that the claim as stated is true and correct and that there is~~
19 ~~justly due to the claimant the sum set forth in the account. If~~
20 ~~any person shall swear falsely in the making of such affidavit, he~~
21 ~~shall be deemed guilty of false swearing. The president or~~
22 ~~presiding officer of the fiscal body allowing claims shall indorse~~
23 ~~on all accounts allowed the words "allowed and payment authorized,"~~
24 ~~together with the date of allowance and signature of the president~~

1 ~~or other presiding officer.~~ satisfactorily, as determined by the
2 fiscal body. In order to facilitate more timely payment of claims,
3 no official action on the part of the fiscal body is required.
4 Claims shall be paid within a time that will allow for taking
5 advantage of any discounts that may be offered for paying early.
6 All claims shall be defaced when paid. The fiscal body shall be
7 provided a listing of claims paid, at least monthly, indicating the
8 type of service or material furnished.

NOTE: The purpose of this bill is to streamline the payment of claims by a county commission, board of education or the council of a municipal corporation.

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