

**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.