

**Senate Bill No. 59**

(By Senator Cookman)

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[Introduced January 8, 2014; referred to the Committee on  
Government Organization; and then to the Committee on the  
Judiciary.]  
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A BILL to amend and reenact §12-3-18 of the Code of West Virginia,  
1931, as amended, relating to claims against counties, school  
districts or municipalities.

*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. Itemized statement of claims against counties, school  
districts or municipalities.**

~~It shall be unlawful for~~ Any county court, board of education  
or the council of a municipal corporation, or other body charged  
with the administration of the fiscal affairs of any county, school  
district, independent school district or municipality, ~~to~~ shall pay

1 any properly authorized itemized claim (invoice) for services  
2 rendered or materials furnished. Claims are to be paid timely  
3 taking advantage of discounts for paying early. All claims shall be  
4 defaced when paid. The public bodies as listed above shall be  
5 provided a listing of claims paid, at least monthly, indicating the  
6 type of service or material furnished. ~~unless an itemized account~~  
7 ~~therefor is filed by the claimant covering the claim. Such account~~  
8 ~~shall be itemized in detail, and shall show, among other things,~~  
9 ~~the following: If the claim is for services, it shall show the~~  
10 ~~kind of service, the dates when same was performed and the name of~~  
11 ~~the person performing it; if the claim is for material or supplies~~  
12 ~~furnished, the claim shall show in detail the kind of material or~~  
13 ~~supplies, the quantity, dates of delivery and to whom delivered;~~  
14 ~~and if the claim is for road or bridge work or for road or bridge~~  
15 ~~material, the amount of which claim is for material in excess of \$5~~  
16 ~~or for labor in excess of \$25, the claim shall be verified by the~~  
17 ~~affidavit of the person making it, and in such affidavit the person~~  
18 ~~making the claim shall be required to state that the services~~  
19 ~~performed or materials furnished, as set forth in such claim, were~~  
20 ~~actually performed or actually furnished, and that the claim as~~  
21 ~~stated is true and correct and that there is justly due to the~~  
22 ~~claimant the sum set forth in the account. If any person shall~~  
23 ~~swear falsely in the making of such affidavit, he shall be deemed~~

1 ~~guilty of false swearing. The president or presiding officer of~~  
2 ~~the fiscal body allowing claims shall indorse on all accounts~~  
3 ~~allowed the words "allowed and payment authorized," together with~~  
4 ~~the date of allowance and signature of the president or other~~  
5 ~~presiding officer.~~

NOTE: The purpose of this bill is to amend the procedures related to payment of claims.

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