

1 **ENGROSSED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 H. B. 2099

5 (By Delegates Howell, Householder, J. Nelson, Statler, Walters,
6 Arvon, Border, Folk, Hamilton, A. Evans and McGeehan)

7
8 (Originating in the Committee on the Judiciary.)

9 (January 30, 2015)

10
11 A BILL to amend and reenact §11-8-9 of the Code of West Virginia, 1931, as amended, relating to
12 extending the time of meetings of local levying bodies when meetings are delayed due to
13 circumstances beyond the control of a local levying body; providing the State Auditor is
14 authorized to extend the time of meetings of local levying bodies; authorizing the State
15 Auditor to propose rules to implement this section; requiring that the meeting be held in
16 compliance with chapter six, article nine-a; and authorizing the State Auditor to set the
17 meeting time.

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

19 That §11-8-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted
20 to read as follows:

21 **ARTICLE 8. LEVIES.**

22 **§11-8-9. Meetings of local levying bodies.**

23 (a) Each local levying body shall hold a meeting or meetings between the seventh and

1 twenty-eighth days of March for the transaction of business generally and particularly for the
2 business herein required.

3 (b) When a levy is placed on the ballot for consideration during a primary election, each
4 local levying body may extend its time to meet as a levying body until the first day of June of that
5 year.

6 (c) The State Auditor shall propose rules for legislative approval in accordance with article
7 three, chapter twenty-nine-a of this code to implement the purposes of this subsection. The proposed
8 rules shall include a procedure for a local levying body to apply for permission to extend the time
9 to meet as a levying body, requiring the local levying body to cite the reason a timely meeting was
10 not held and that the meeting, if approved by the State Auditor, be held in compliance with article
11 nine-a, chapter six of this code relating to open governmental proceedings at a time set by the State
12 Auditor.

13 (1) The State Auditor shall require all levying bodies to file a report of their meetings as
14 required in this article with the State Auditor on or before the first day of April.

15 (2) The State Auditor shall notify any levying body, which has not filed a report of their
16 meetings to the State Auditor by the first day of April, that the levying body must meet and file a
17 report of that meeting no later than the fifteenth day of April.

18 (3) For any meeting after the fifteenth day of April, the State Auditor, may allow a late
19 meeting and late report on or before the first day of May, if the State Auditor finds good cause to so
20 allow a meeting and report to be filed after the fifteenth day of April and not later than the first day
21 of May.