

E N G R O S S E D

COMMITTEE SUBSTITUTE

for

H. B. 2099

(BY DELEGATE(S) HOWELL, HOUSEHOLDER,
J. NELSON, STATLER, WALTERS, ARVON, BORDER, FOLK,
HAMILTON, A. EVANS AND MCGEEHAN)

(Originating in the Committee on the Judiciary.)
(January 30, 2015)

A BILL to amend and reenact §11-8-9 of the Code of West Virginia, 1931, as amended, relating to extending the time of meetings of local levying bodies when meetings are delayed due to circumstances beyond the control of a local levying body; providing the State Auditor is authorized to extend the time of meetings of local levying bodies; authorizing the State Auditor to propose rules to implement this section; requiring that the meeting be held in

Eng. Com. Sub. for H. B. No. 2099] 2

compliance with chapter six, article nine-a; and authorizing the State Auditor to set the meeting time.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 8. LEVIES.

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

1 (a) Each local levying body shall hold a meeting or meetings
2 between the seventh and twenty-eighth days of March for the
3 transaction of business generally and particularly for the
4 business herein required.

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

9 (c) The State Auditor shall propose rules for legislative
10 approval in accordance with article three, chapter twenty-nine-a
11 of this code to implement the purposes of this subsection. The
12 proposed rules shall include a procedure for a local levying body
13 to apply for permission to extend the time to meet as a levying

14 body, requiring the local levying body to cite the reason a timely
15 meeting was not held and that the meeting, if approved by the
16 State Auditor, be held in compliance with article nine-a, chapter
17 six of this code relating to open governmental proceedings at a
18 time set by the State Auditor.

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

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

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

