

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 131**

**FISCAL  
NOTE**

BY SENATOR LAIRD

[Introduced January 13, 2016;

Referred to the Committee on Education; and then to  
the Committee on Government Organization.]

1 A BILL to amend and reenact §10-1-2 of the Code of West Virginia, 1931, as amended, relating  
 2 to permitting counties to impose additional levy on property within the county for the sole  
 3 purpose of funding public libraries.

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

1 That §10-1-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
 2 to read as follows:

**ARTICLE 1. PUBLIC LIBRARIES.**

**§10-1-2. Power of governing authority to establish and maintain libraries; financing.**

1 (a) A governing authority either by itself or in cooperation with one or more other ~~such~~  
 2 governing authorities, ~~shall have the power to~~ may establish, equip and maintain a public library,  
 3 or to take over, maintain or support any public library already established. Any library established,  
 4 maintained or supported by a governing authority ~~may~~ shall be financed either:

5 (1) By the appropriation from the General Funds of the governing authority of a sum  
 6 sufficient for the purpose; or

7 (2) By the imposition of an excess levy for library purposes, in accordance with the  
 8 provisions of section sixteen, article eight, chapter eleven of this code. ~~Such~~

9 (b) Sums ~~as are appropriated hereunder may~~ under this section shall be transferred to the  
 10 public library board for deposit and disbursement as the public library board ~~shall direct~~ directs.  
 11 By ~~such~~ the transfer the governing authority designates the public library board as its disbursing  
 12 agent.

13 (c) In order to provide for the support, maintenance and operation of a public library and  
 14 any and all branches of the library located in the county or to support a public library already  
 15 established, the supporting county shall, upon written request by the board of directors of the  
 16 public library, levy annually within the respective taxing districts of the county, on each \$100 of  
 17 assessed valuation of the property taxable in the county according to the last assessment for  
 18 state and county purposes, an amount equal to \$.01 beginning on July 1 of the year so levied and

19 for each succeeding fiscal year.

20 (d) The proceeds of the levies are for the exclusive use of the public libraries, any branches  
21 of the libraries, and any other public libraries in the county that the county seat public library  
22 makes a legal agreement with concerning distribution and disbursement of the funds. The funds  
23 may be disbursed only upon order of the respective board of trustees. The proceeds of the levies  
24 are considered additional library funding and are not intended to replace or reduce any current  
25 funding. All income realized by the operation of the public library from any source other than the  
26 above levies shall be used by the board of directors for support of the public library.

NOTE: The purpose of this bill is to permit counties to impose an additional levy on property within the county for the sole purpose of funding public libraries.

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