

WEST VIRGINIA CODE: §5A-6-3

§5A-6-3. Office of Technology; Chief Information Officer; appointment and qualifications; continuation of special fund.

(a) The Office of Technology is created within the Department of Administration, to be led by a Chief Information Officer, who shall be appointed by and serve at the will and pleasure of the Governor. The Chief Information Officer shall have knowledge in the field of information technology, experience in the design and management of information systems, and an understanding of the special demands upon government with respect to budgetary constraints, the protection of privacy interests, and federal and state standards of accountability.

(b) There is hereby continued in the State Treasury a special account to be known as the Chief Technology Officer Administration Fund. All fees collected by the Chief Information Officer pursuant to this article shall be deposited into the fund. Expenditures from the fund shall be made by the Chief Information Officer for the purposes set forth in this article and are not authorized from collections but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-1 *et seq.* of this code and upon the fulfillment of the provisions set forth in §11B-2-1 *et seq.* of this code: *Provided*, That the provisions of §11B-2-18 of this code do not operate to permit expenditures in excess of the spending authority provided by the Legislature.