

WEST VIRGINIA CODE: §12-10-2

§12-10-2. Definitions.

The words defined in this section have the meanings given them for purposes of this article, unless the context clearly requires otherwise.

“Grantee” means any entity receiving a state grant, including a state spending unit, local government, corporation, partnership, association, individual, or other legal entity.

“Legitimate claim for payment” means:

- (1) A notification of an entitlement to a disbursement of state funds pursuant to an awarded state grant; and
- (2) A vendor’s legitimate uncontested invoice for commodities or services provided to any state spending unit.

“Payment” means:

- (1) A disbursement of funds to a grantee pursuant to a state grant; and
- (2) A state agency’s payment, via check, state warrant, purchasing card transaction, or electronic payment, of a legitimate uncontested invoice for commodities or services.

“State agency” means any agency, department, board, office, bureau, commission, authority or any other entity of the executive, judicial, elected, or legislative branch of state government.

“State grant” means funding provided by a grantor, regardless of the original source of the funds, to a grantee upon application for a specific purpose. The term “state grant” does not include:

- (1) Payments for commodities and services purchased by a state spending unit;
- (2) Compensation to state employees and public officials;
- (3) Reimbursements to state employees and public officials for travel or incidental expenses;
- (4) Grants of student aid;
- (5) Government transfer payments;
- (6) Direct benefits provided under state insurance and welfare programs;
- (7) Funds reimbursed to a person for expenditures made for qualified purposes when

receipts for the expenditures are required prior to receiving the funds;

(8) Retirement benefits;

(9) Federal pass-through funds that are subject to the federal Single Audit Act Amendments of 1996, 31 U.S.C. § 7501 *et seq.*, and the funds required to match the federal funds;

(10) Distributions to volunteer and part-volunteer fire departments and fire companies made pursuant to §33-3-14d, §33-3-33, and §33-12C-7 of this code;

(11) Money received from the Fire Service Equipment and Training Fund as provided in §29-3-5f of this code; and

(12) Grants made by the West Virginia Water Development Authority.

“Vendor” means any person or entity that may, through contract or other means, supply the state or its subdivisions with commodities or services, and lessors of real property: *Provided*, That employees of the state shall not be considered vendors under this article.