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ENROLLED BILL

House Bill No. 254.

(By Mr. Hiner)

Passed March 11, 1931

In Effect Ninety days from Passage

Originated in the House. Takes effect ninety days from passage.
Clerk of the House of Delegates.

CORRECTLY ENROLLED

Chairman Senate Committee.

Chairman House Committee.

ENROLLED BILL

(H. B. No. 254)

[Passed March 11, 1931; in effect ninety days from passage.]

AN ACT to amend and re-enact section two of article two of chapter twelve of the code of West Virginia, relating to method of payment by state officials, credits to state fund and exceptions therefrom.


Be it enacted by the Legislature of West Virginia:

That section two of article two of chapter twelve of the code of West Virginia be amended and re-enacted so as to read as follows:

Section 2. All officials and employees of the state shall promptly deposit with the state treasurer all moneys received or collected by them for or on behalf of the state for any purpose whatsoever. When so paid, such moneys shall be credited to the state fund and treated by the auditor and treasurer as a part of the general revenue of the state, and shall not be used for any purpose whatsoever unless and until authorized and directed by the legislature, except the following funds:

(a) All moneys received out of appropriations made by the

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Chairman Senate Committee



Chairman House Committee

10 congress of the United States;

11 (b) All funds derived from the sale of farm and dairy
12 products;

13 (c) All endowment funds, bequests, donations, executive
14 emergency funds, and death and disability funds;

15 (d) All fees and funds collected at state educational insti-
16 tutions for student activities;

17 (e) All funds derived from collections from dormitories,
18 boarding houses, cafeterias and road camps;

19 (f) All moneys received from counties by institutions for
20 the deaf and blind on account of clothing for indigent pupils;

21 (g) All insurance collected on account of losses by fire and
22 refunds;

23 (h) All funds derived from bookstores and sales of blank
24 paper and stationery, and collections by the chief inspector of
25 public offices;

26 (i) All moneys collected and belonging to the capitol build-
27 ing fund, state road fund, state road sinking funds, general
28 school fund, school fund, state fund (moneys belonging to
29 counties, districts and municipalities), state interest and sink-
30 ing fund for payment of the Virginia debt, state interest and

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Joseph D. Smith

Chairman Senate Committee.

Amos W. Adams

Chairman House Committee.

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31 sinking fund, state compensation funds, the fund maintained
32 by the public service commission for the investigation and
33 supervision of applications and licensees under article nine,
34 chapter thirty-one of this code, and all funds and moneys pay-
35 able to or received by the West Virginia game, fish and forestry
35-a commission.

36 All moneys excepted as aforesaid shall be paid into the state
37 treasury in the same manner as collections not so excepted, and
38 shall be carried in separate accounts to be used and expended
39 only for the purposes for which the same are authorized to be
40 collected by law. The gross amount collected in all cases shall
41 be paid into the state treasury, and commissions, costs and
42 expenses of collection authorized by general law to be paid
43 out of the gross collection are hereby authorized to be paid
44 out of the moneys collected and paid into the state treasury in
45 the same manner as other payments are made from the state
46 treasury.

47 The officials or employees depositing such moneys with the
48 state treasurer shall prepare reports in triplicate, upon blank
49 forms approved by the chief inspector of public offices, of all
50 moneys received, giving the name and address of the payer,

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James D. Smith

Chairman Senate Committee.

Benjamin M. Adams

Chairman House Committee.

51 the amount and the purpose for which such payment is made.
52 One copy of this report shall be kept by the official or em-
53 ployee making such report and shall become a part of his
54 permanent record. The original and one copy of such report
55 shall be transmitted to the treasurer, together with the checks,
56 money orders or drafts listed thereon.

57 The treasurer shall have authority to require all public utility
58 corporations doing business in this state to make payment of
59 all taxes due the state, and various counties, districts and
60 municipalities in the state, by depositing the amounts due in one
61 or more state depositories. He may also permit any county
62 official to deposit in one or more depositories all money payable
63 by such official to the state or its order. In all such
64 cases, however, the treasurer shall designate the depository or
65 depositories in which such deposits are to be made and the
66 amount to be deposited in each. All such deposits shall be made
67 upon blanks and in the manner prescribed by the treasurer.
68 A duplicate copy of all such deposits shall be immediately for-
69 warded to the state auditor by the taxpayer or official making
70 the same. The auditor shall, upon December first of each year,
71 or as soon thereafter as possible, certify to the treasurer the

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72 names and addresses of all public utility companies doing busi-
ness in the state and the amount of taxes due to be paid by each.

James D. Smith
Chairman Senate Committee.

Charles W. Meadows
Chairman House Committee.

W. H. Tins
Clerk of the House of Delegates.

J. Alfred Taylor
Speaker of the House of Delegates.

W. H. Tins
President of the Senate.

M. S. Hager
Clerk of the Senate.

The within is... *Approved*
this... *17th* day of... *March*... 1931.

W. G. Lacy
Governor.

Filed in the office of the Secretary of State
of West Virginia **MAR 17 1931**
GEORGE W. SHAFF,
Secretary of State.