WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 40

(By Mr. Paul by request)

PASSED February 19, 1941

In Effect 90 days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.
ENROLLED

Senate Bill No. 40

(BY MR. PAULL, BY REQUEST)

[Passed February 19, 1941; in effect 90 days from passage.]

AN ACT to amend and reenact sections two, three and four, article two, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, relating to the collection and deposit of all moneys collected by any state institution under the control of the state, all state officers and all departments of the state government.

Be it enacted by the Legislature of West Virginia:

That sections two, three and four, article two, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:
Section 2. Method of Payment by State Officials and Employees; Credit to State Fund; Exceptions. All officials and employees of the state authorized by statute to accept moneys due the State of West Virginia shall keep a daily itemized record of such moneys so received for deposit in the state treasury and shall deposit promptly 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 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 Congress of the United States;
(b) All funds derived from the sale of farm and dairy products;
(c) All endowment funds, bequests, donations, executive emergency funds, and death and disability funds;
(d) All fees and funds collected at state educational
institutions for student activities;
(e) All funds derived from collections from dormitories, boarding houses, cafeterias and road camps;
(f) All moneys received from counties by institutions
for the deaf and blind on account of clothing for indigent pupils;
(g) All insurance collected on account of losses by fire and refunds;
(h) All funds derived from bookstores and sales of blank paper and stationery, and collections by the chief inspector of public offices;
(i) All moneys collected and belonging to the capitol building fund, state road fund, state road sinking funds, general school fund, school fund, state fund (moneys belonging to counties, districts and municipalities), state interest and sinking fund for payment of the Virginia debt, state interest and sinking fund, state compensation funds, the fund maintained by the public service com-
mission for the investigation and supervision of appli-
cations and licenses under article nine, chapter thirty-
one of this code, and all funds and moneys payable to or received by the conservation commission of West Virginia;

(j) All moneys collected or received under any act of the Legislature providing that funds collected or received thereunder shall be used for specific purposes.

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

The official or employee making such deposits in the state treasury shall prepare such deposit lists in such manner and upon such report forms as may be pre-
scribed by the chief inspector of public offices. The original of this report shall accompany the deposit to the state treasurer's office. A duplicate copy shall be forwarded by the official or employee making such deposit immediately to the state auditor, and a third copy shall be kept by the official or employee making the report and shall become a part of his permanent record.

Sec. 3. Deposit of Moneys by Treasurer; Lists to be Transmitted from Treasurer to Auditor and Director of the Budget. Promptly upon the receipt of the aforementioned deposits, it shall be the duty of the treasurer to check all items on such lists, and, if found correct, transmit same together with a certificate of deposit in duplicate, as soon as practicable, to the depository in which he desires to make the deposit. A copy of each deposit report received by the treasurer from the sources mentioned above, as well as any deposits received by him from any other source, shall be sent to the auditor and the director of the budget daily.

Sec. 4. Duty of Depositories. Immediately upon the receipt of such deposit, it shall be the duty of the deposi-
tory to credit the state treasurer with the amount of the
deposit, to date and sign the certificates of deposit by
some legally constituted official of the depository and
transmit promptly both copies to the state treasurer who
shall immediately transmit one signed copy to the state
auditor.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

C. F. B. Town
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

O. S. W. Waddens
Clerk of the Senate

H. C. N. Bolling
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm W. Arnold
Speaker House of Delegates

The within approved this the 22nd
day of February, 1941.

Matthew Neely
Governor.

Filed in the office of the Secretary of State of West Virginia. FEB 24 1941
Wm. S. O'Brien, Secretary of State