

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-31-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

ENROLLED

Committee Substitute for
HOUSE BILL No. 1130

(By Mr. Evins)

— ● —

Passed March 12, 1982

In Effect ninety days from Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1130

(By MR. GIVENS)

[Passed March ¹³~~12~~, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article two-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing county, municipality or combined boards of health to charge for permits and licenses and to retain and utilize such funds collected for the provision of public health services.

Be it enacted by the Legislature of West Virginia:

That section six, article two-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2A. ALTERNATIVE METHOD OF ORGANIZING LOCAL HEALTH AGENCIES.

§16-2A-6. Levy for payment of county, municipal, combined boards of health; collection, receipt and disposition of funds by local boards of health.

1 The county commission of any county or the governing body
2 of any municipality in which a county or municipal health
3 officer is appointed pursuant to the provisions of this article,
4 shall have the power and authority to provide funds for the
5 payment of such health officer and the expenses of his ad-

6 ministration, and for that purpose may levy a county or
7 municipal tax, as the case may be, of not exceeding three
8 cents on each one hundred dollars' assessed valuation of the
9 taxable property in such county or municipality according to
10 the last assessment thereof.

11 Any county or municipality may, whether it has exercised
12 the power to lay the special levy hereinbefore provided for
13 or not, appropriate and expend money from the county or
14 municipal general fund for public health purposes and to pay
15 the expenses of operation and administration of a county or
16 municipal board of health and the public health facilities
17 operated thereby or in conjunction therewith.

18 Any county or municipality in which there is a board of
19 health created and maintained pursuant to the provisions of
20 this article, may accept, receive and receipt for money or
21 property from any federal, state, or local governmental agency,
22 or from any public or private source, to be used for public
23 health purposes, or for the establishment or construction of
24 public health facilities. The state department of health is
25 hereby authorized and empowered to pay over and contribute
26 to any board of health created and maintained pursuant to
27 the provisions of this article such sum or sums of money as
28 may be available from funds included in appropriations made
29 for the state department of health for such purpose. The
30 amount of any such payment or contribution by the state
31 department of health to any such local board of health shall
32 be determined in accordance with regulations established by
33 the state board of health. Such regulations shall provide a
34 fixed formula for determining the amount of any payment or
35 contribution, and this formula shall be uniformly applied in
36 determining the amount of any payment or contribution to
37 any such local board.

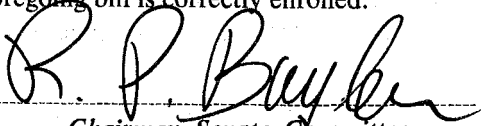
38 Notwithstanding any other provision of this chapter, any
39 county, municipal or combined board of health, whether creat-
40 ed and maintained pursuant to the provisions of this article or
41 article two of this chapter, may assess and charge fees for per-
42 mits and licenses for the provision of public health services:
43 *Provided*, That no such fees may be assessed or charged pur-
44 suant to the provisions of this section for permits and licenses

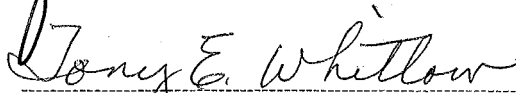
45 required for agricultural activities. Such fees shall be estab-
46 lished by regulation promulgated in accordance with the pro-
47 visions of chapter twenty-nine-a of the code, by the state board
48 of health.

49 All moneys accepted by any county, municipality or com-
50 bined board of health shall be deposited in the county or
51 municipal treasury, and unless otherwise prescribed by the
52 authority from which the money is received, shall be kept in
53 separate funds, designated according to the purposes for
54 which the money was made available, and held by the county
55 or municipality in trust for such purposes: *Provided, That*
56 nothing contained in this section shall be construed to con-
57 flict with the provisions of section fifteen, article one, chapter
58 sixteen of this code.

59 Expenditures from the county or municipal public health
60 funds established under this article shall be paid out by the
61 county or municipal treasurer upon submission of vouchers
62 approved by the county or municipal board of health and
63 signed by the county or municipal health officer.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

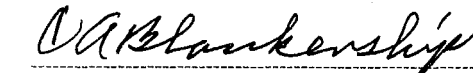
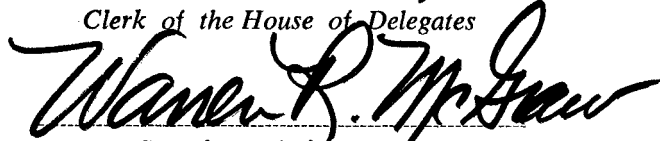

Chairman Senate Committee

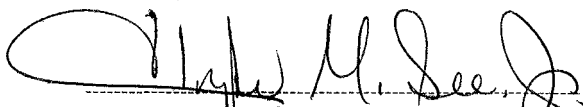

Chairman House Committee

Originating in the House.

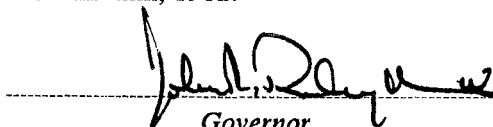
Takes effect ninety days from passage.


Clerk of the Senate


Clerk of the House of Delegates

President of the Senate


Speaker House of Delegates

The within is approved this the 31
day of March, 1982.


Governor

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SECY. OF STATE