WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED
Committee Substitute for
HOUSE BILL No. 1130

(By Mr. Genies )

Passed March 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 of any municipality in which a county or municipal health officer is appointed pursuant to the provisions of this article, shall have the power and authority to provide funds for the payment of such health officer and the expenses of his ad-
ministration, and for that purpose may levy a county or
municipal tax, as the case may be, of not exceeding three
cents on each one hundred dollars' assessed valuation of the
taxable property in such county or municipality according to
the last assessment thereof.

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

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

Notwithstanding any other provision of this chapter, any
county, municipal or combined board of health, whether creat-
ed and maintained pursuant to the provisions of this article or
article two of this chapter, may assess and charge fees for per-
mits and licenses for the provision of public health services:
Provided, That no such fees may be assessed or charged pur-
suant to the provisions of this section for permits and licenses
required for agricultural activities. Such fees shall be established by regulation promulgated in accordance with the provisions of chapter twenty-nine-a of the code, by the state board of health.

All moneys accepted by any county, municipality or combined board of health shall be deposited in the county or municipal treasury, and unless otherwise prescribed by the authority from which the money is received, shall be kept in separate funds, designated according to the purposes for which the money was made available, and held by the county or municipality in trust for such purposes: Provided, That nothing contained in this section shall be construed to conflict with the provisions of section fifteen, article one, chapter sixteen of this code.

Expenditures from the county or municipal public health funds established under this article shall be paid out by the county or municipal treasurer upon submission of vouchers approved by the county or municipal board of health and 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