WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

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ENROLLED

HOUSE BILL No. 1993

(By Mr. Shiflet and Mr. Harman)

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Passed March 12, 1983

In Effect from Passage
AN ACT to amend and reenact section eight, article nine, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to audit of county and municipal funds by the tax commissioner; payment of costs of audit; revolving fund; charges for costs limited.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 9. SUPERVISION OF PUBLIC OFFICES.

§6-9-8. Payment of cost of services of chief inspector; revolving fund.

1 The cost of any service or act performed by the chief inspector under the provisions of this article as to any county or district office, officer or institution, shall be paid by the county commission of the county; the cost thereof as to any board of education shall be paid by such board; the cost thereof as to any municipal corporation shall be paid by the authorities thereof: Provided, That in municipalities in which the total revenue from all taxes does not exceed the sum of two thousand dollars annually, such cost including the per diem and all actual costs and expenses of such services shall not exceed the sum of sixty dollars. The cost of this service shall be the
actual cost and expense of the service performed, including transportation, hotel, meals, materials, per diem compensation of deputies, assistants, clerical help and such other costs as may be necessary to enable them to perform the services required, but in no event shall such costs exceed the sum of two thousand dollars for services rendered to a Class III or a Class IV municipality. The chief inspector shall render to the agency liable for such cost a statement thereof as soon after the same was incurred as practicable, and it shall be the duty of such agency to allow the same, and cause it to be paid promptly in the manner that other claims and accounts are allowed and paid, and such total amount shall constitute a debt against the local agency due the state. Whenever there is in the state treasury a sum of money due any such county commission, board of education or municipality from any source, upon the application of the chief inspector, the same shall be at once applied on the debt aforesaid against the county commission, board of education or municipality, and the fact of such application of such fund shall be reported by the auditor to the said county commission, board of education or municipality, which report shall be a receipt for the amount therein named. All money received by the chief inspector from this source shall be paid into the state treasury, shall be deposited to the credit of an account to be known as chief inspector’s fund and shall be expended only for the purpose of covering the cost of such services, unless otherwise directed by the Legislature. The cost of any such examination, service or act by the chief inspector made necessary, or such part thereof as was made necessary, by the willful fault of any officer or employee, may be recovered by the chief inspector from such person, on motion, on ten days’ notice in any court having jurisdiction.

For the purpose of permitting payments to be made at definite periods to deputy inspectors and assistants for per diem compensation and expenses, there is hereby created a revolving fund for the chief inspector’s office. The fund shall be accumulated and administered as follows:

(1) There shall be appropriated from the state fund
general revenue the sum of twenty-five thousand dollars to
be transferred to this fund to create a revolving fund
which, together with other payments into this fund as
provided in this article, shall constitute a fund to defray
the cost of this service.

(2) Payments received for the cost of services of the
chief inspector’s office shall be deposited into this revolving
fund, which shall be known as the chief inspector’s fund.

(3) Any appropriations made to this fund shall not be
deemed to have expired at the end of any fiscal period.
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 from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within in __________ this the ______ day of __________, 1983.

Governor