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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-29-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

HOUSE BILL No. 1993

(By Mr. Shiflet + Mr. Harman)



Passed March 12, 1983

In Effect From Passage



ENROLLED

H. B. 1993

(By MR. SHIFLET and MR. HARMAN)

[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
2 inspector under the provisions of this article as to any county
3 or district office, officer or institution, shall be paid by the
4 county commission of the county; the cost thereof as to any
5 board of education shall be paid by such board; the cost there-
6 of as to any municipal corporation shall be paid by the authori-
7 ties thereof: *Provided*, That in municipalities in which the total
8 revenue from all taxes does not exceed the sum of two thou-
9 sand dollars annually, such cost including the per diem and all
10 actual costs and expenses of such services shall not exceed
11 the sum of sixty dollars. The cost of this service shall be the

12 actual cost and expense of the service performed, including
13 transportation, hotel, meals, materials, per diem compen-
14 sation of deputies, assistants, clerical help and such other
15 costs as may be necessary to enable them to perform the
16 services required, but in no event shall such costs exceed
17 the sum of two thousand dollars for services rendered to
18 a Class III or a Class IV municipality. The chief inspector
19 shall render to the agency liable for such cost a statement
20 thereof as soon after the same was incurred as practicable,
21 and it shall be the duty of such agency to allow the same,
22 and cause it to be paid promptly in the manner that other
23 claims and accounts are allowed and paid, and such total
24 amount shall constitute a debt against the local agency due
25 the state. Whenever there is in the state treasury a sum of
26 money due any such county commission, board of educa-
27 tion or municipality from any source, upon the application
28 of the chief inspector, the same shall be at once applied
29 on the debt aforesaid against the county commission, board
30 of education or municipality, and the fact of such applica-
31 tion of such fund shall be reported by the auditor to the
32 said county commission, board of education or municipality,
33 which report shall be a receipt for the amount therein
34 named. All money received by the chief inspector from
35 this source shall be paid into the state treasury, shall be de-
36 posited to the credit of an account to be known as chief
37 inspector's fund and shall be expended only for the purpose
38 of covering the cost of such services, unless otherwise directed
39 by the Legislature. The cost of any such examination, service
40 or act by the chief inspector made necessary, or such part
41 thereof as was made necessary, by the willful fault of any
42 officer or employee, may be recovered by the chief inspector
43 from such person, on motion, on ten days' notice in any
44 court having jurisdiction.

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

50 (1) There shall be appropriated from the state fund

51 general revenue the sum of twenty-five thousand dollars to
52 be transferred to this fund to create a revolving fund
53 which, together with other payments into this fund as
54 provided in this article, shall constitute a fund to defray
55 the cost of this service.

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

59 (3) Any appropriations made to this fund shall not be
60 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.

Harrell E. Bell

Chairman Senate Committee

Ronald Anello

Chairman House Committee

Originating in the House.

Takes effect from passage.

Jodd C. Vicks

Clerk of the Senate

Donald L. Kopp

Clerk of the House of Delegates

Thomas P. Whitaw

President of the Senate

Walter M. Lee, Jr.

Speaker House of Delegates

The within *is approved* this the *29*
day of *March*, 1983.

John R. Bell

Governor

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SECY. OF STATE