

#4029

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988



# ENROLLED

HOUSE BILL No. 4029

(By Mr. Speaker, Mr Chambers)



Passed March 4, 1988

In Effect Ninety Days From Passage

**ENROLLED**  
**H. B. 4029**

(By MR. SPEAKER, MR. CHAMBERS)

---

[Passed March 4, 1988; in effect ninety days from passage.]

---

AN ACT to amend and reenact section thirteen, article two, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to changing date by which commissioner of finance and administration shall certify certain estimates of revenue.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 2. BUDGET DIVISION.**

**§5A-2-13. Estimates of revenue; reports on revenue collections; withholding department funds on noncompliance.**

1 Prior to the beginning of each fiscal year the commis-  
2 sioner shall estimate the revenue to be collected month  
3 by month by each classification of tax for that fiscal year  
4 as it relates to the official estimate of revenue for each  
5 tax for that fiscal year and the commissioner shall  
6 certify this estimate to the governor and the legislative  
7 auditor by the first day of July for that fiscal year.

8 The commissioner shall ascertain the collection of the  
9 revenue of the state and shall determine for each month  
10 of the fiscal year the proportion which the amount

11 actually collected during a month bears to the collection  
12 estimated by him for that month. The commissioner  
13 shall certify to the governor and the legislative auditor,  
14 as soon as possible after the close of each month, and  
15 not later than the fifteenth day of each month, and at  
16 such other times as the governor or legislative auditor  
17 may request, the condition of the state revenues and of  
18 the several funds of the state and the proportion which  
19 the amount actually collected during the preceding  
20 month bears to the collection estimated by him for that  
21 month. The commissioner shall include in this certifica-  
22 tion the same information previously certified for prior  
23 months in each fiscal year. For the purposes of this  
24 section, the commissioner shall have the authority to  
25 require all necessary estimates and reports from any  
26 spending unit of the state government.

27 If the commissioner fails to certify to the governor and  
28 the legislative auditor the information required by this  
29 section within the time specified herein, the legislative  
30 auditor shall notify the auditor and treasurer of such  
31 failure, and thereafter no funds appropriated to the  
32 department of finance and administration shall be  
33 expended until the commissioner has certified the  
34 information required by this section.

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

*Bleed O. W. Deen*

Chairman Senate Committee

*Bernard V. Kelly*

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Paul C. Mills*

Clerk of the Senate

*Donald J. Hoop*

Clerk of the House of Delegates

*Sam Tenenbaum*

President of the Senate

*[Signature]*

Speaker of the House of Delegates

The within *approved* this the *14th*  
day of *March*, 1988.  
*Anne. Prange*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/8/88

Time 4:28 p.m.

RECEIVED

1989 MAR 22 PM 3:43

OFFICE OF THE ATTORNEY GENERAL  
SECRETARY OF STATE