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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

HOUSE BILL No. 4177

(By Delegates *Kiss + McKinley*)



Passed *March 2,* 1994

In Effect *90 Days From* Passage

ENROLLED
H. B. 4177

(By DELEGATES KISS AND MCKINLEY)

[Passed March 2, 1994; in effect ninety days from passage.]

AN ACT to amend and reenact section eighteen, article two, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, limiting the authority of the governor to expend excess collections in special revenue accounts.

Be it enacted by the Legislature of West Virginia:

That section eighteen, 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. FINANCE DIVISION.

§5A-2-18. Expenditure of excess in collections; notices to auditor and treasurer.

1 If the amount actually collected by a spending unit
2 exceeds the amount which it is authorized to expend
3 from collections, the excess in collections shall be set
4 aside in a special surplus fund for the spending unit.
5 Expenditures from this fund shall be made only in
6 accordance with an appropriation by the Legislature.

7 An expenditure from a special surplus fund other
8 than in accordance with this section shall be an unlawful
9 use of public funds. Each spending unit shall submit a
10 report, at least annually, to the legislative auditor's
11 office showing the balance in any surplus fund created
12 pursuant to this section. In order to expend any funds
13 accumulated in any surplus fund created pursuant to

- 14 this section, the governor shall submit a request to the
- 15 Legislature for an appropriation of surplus funds.

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

[Handwritten signature]
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Darrell B. Shaw
.....
Clerk of the Senate

Donald L. Jopp
.....
Clerk of the House of Delegates

[Handwritten signature]
.....
President of the Senate

[Handwritten signature]
.....
Speaker of the House of Delegates

The within *disapproved* this the *30th*
day of *March*, 1994.

[Handwritten signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date

3/10/64

Time

9:31 am