WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994

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ENROLLED

HOUSE BILL No. 477

(By Delegates Kiss & McKinley)

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Passed March 2, 1994

In Effect 90 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 exceeds the amount which it is authorized to expend from collections, the excess in collections shall be set aside in a special surplus fund for the spending unit. Expenditures from this fund shall be made only in accordance with an appropriation by the Legislature.

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

Chairman Senate Committee

Ernest E. Moore
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 of the House of Delegates

The within is approved this the 30th day of , 1994.

Governor