WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1996

ENROLLED

Com. Sub. for
HOUSE BILL No. 4100

(By Delegates Love, Pettit and Thomas)

Passed March 9, 1996
In Effect Ninety Days From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4100
(BY DELEGATES LOVE, PETTIT AND THOMAS)

[Passed March 9, 1996; in effect ninety days from passage.]

AN ACT to amend and reenact section eight-b, article fifteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section fourteen, article four, chapter twelve of said code, all relating to volunteer fire companies; authorizing expenditure of state funds or grants for certain filing fees required by the legislative auditor's office and for certain insurance premiums; requiring deposit of filing fees in special revenue account; and authorizing expenditures from said account for payment of costs associated with conducting audits.

Be it enacted by the Legislature of West Virginia:

That section eight-b, article fifteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section fourteen, article four, chapter twelve of said code be amended and reenacted, all to read as follows:

CHAPTER 8. MUNICIPAL CORPORATIONS.
ARTICLE 15.  FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-8b.  Authorized expenditures of revenues from the municipal pensions and protection fund and the fire protection fund.

1 Revenues allocated to volunteer and part volunteer fire companies and departments may be expended only for the items listed in subdivisions (a) through (j) of this section. Such expenditures may be made for the following:

(a) Personal protective equipment, including protective head gear, bunker coats, pants, boots, combination of bunker pants and boots, coats and gloves;

(b) Equipment for compliance with the national fire protection standard or automotive fire apparatus, NFPA-1901;

(c) Compliance with insurance service office recommendations relating to fire departments;

(d) Rescue equipment, communications equipment and ambulance equipment: Provided, That no moneys received from the municipal pensions and protection fund or the fire protection fund may be used for equipment for personal vehicles owned or operated by volunteer fire company or department members;

(e) Capital improvements reasonably required for effective and efficient fire protection service and maintenance thereof;

(f) Retirement of debts;

(g) Payment of utility bills;

(h) Payment of the cost of immunizations, including any laboratory work incident thereto, for firefighters against hepatitis-b and other blood borne pathogens: Provided, That the vaccine shall be purchased through the state immunization program or from the lowest cost
vendor available: Provided, however, That volunteer and
part volunteer fire companies and departments shall seek
to obtain no cost administration of the vaccinations
through local boards of health: Provided further, That in
the event any volunteer or part volunteer fire company or
department is unable to obtain no cost administration of
the vaccinations through a local board of health, the
company or department shall seek to obtain the lowest
cost available for the administration of the vaccinations
from a licensed health care provider;

(i) Any filing fee required to be paid to the legislative
auditor's office under section fourteen, article four,
chapter twelve of this code relating to sworn statements of
annual expenditures submitted by volunteer or part
volunteer fire companies or departments that receive state
funds or grants; and

(j) Property/casualty insurance premiums for pro-
tection and indemnification against loss or damage or
liability.

CHAPTER 12. PUBLIC MONEYS AND SECURITIES.

ARTICLE 4. ACCOUNTS, REPORTS AND GENERAL PRO-
VISIONS.

§12-4-14. Audits of corporations, associations or other
organizations which receive state funds or
grants.

Any corporation, association or other organization in
West Virginia, whether nonprofit or for profit, which
receives state funds or grants in the amount of fifteen
thousand dollars or more shall file an audit of the
disbursement of funds with the legislative auditor's office.
The audit shall be filed within two years of the
disbursement of funds or grants by the grantee and shall
be made by an independent certified public accountant at
the cost of the corporation, association or other
organization and must show that the funds or grants were
spent for the purposes intended when the grant was made.
Audits of state funds or grants under fifteen thousand
13 dollars may be authorized by the joint committee on
government and finance to be conducted by the legislative
auditor's office, at no cost to the grantee: Provided, That
volunteer fire departments will satisfy the audit require-
ments of this section by submitting a sworn statement of
annual expenditures to the legislative auditor's office,
along with a filing fee of seventy-five dollars, on or before
the fourteenth day of February of each year, if such
volunteer fire department elects not to be audited. The
sworn statement of expenditures must be signed by the
chief or director of the volunteer fire department, and
shall be made under oath and acknowledged before a
notary public. The office of the legislative auditor may
assign an employee or employees to perform audits per
the direction of the legislative auditor of the disbursement
of funds or grants to volunteer fire departments. Filing
fees paid by volunteer fire departments pursuant to this
section shall be paid into a special revenue account created
in the state treasury known as the "Special Legislative
Audit Fund". Expenditures from the fund are authorized
to be made by the legislative auditor's office solely for the
purposes of payment of costs associated with the audits
conducted pursuant to this section. Any person who files
a fraudulent sworn statement of expenditures under this
section is guilty of a felony, and, upon conviction thereof,
shall be fined not less than one thousand dollars nor more
than five thousand dollars, or imprisoned in the state
penitentiary for a period of time not less than one year
nor more than five years, or both fined and imprisoned.
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 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 21st day of March, 1996.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/19/96
Time 3:14 PM