

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

House Bill No. 4548

(By Delegates Martin, Varner and Michael)



Passed March 14, 1998

In Effect from Passage

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H. B. 4548

(BY DELEGATES MARTIN, VARNER AND MICHAEL)

[Passed March 14, 1998; in effect from passage.]

AN ACT to amend and reenact section ten-c and ten-d, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto a new section, designated section ten-e, all relating to the state purchasing card program; exempting the Legislature from any fees associated with the use or non-use of the state purchasing card; providing that the purchasing card fund shall be administered by the state auditor; and creating a purchasing card advisory committee.

Be it enacted by the Legislature of West Virginia:

That sections ten-c and ten-d, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section ten-e, all to read as follows:

ARTICLE 3. APPROPRIATIONS, EXPENDITURES AND DEDUCTIONS.

§12-3-10c. Transaction fees; disposition of fees.

- 1 (a) In order to promote and enhance the use of the
- 2 state purchasing card program established by the
- 3 provisions of section ten-a of this article and in order to

4 maintain and develop the fiscal operations and accounting
5 systems of the state, the auditor and the treasurer may
6 assess joint transaction fees for all financial documents
7 that will be processed on the central accounting system.
8 Such transaction fees shall be prescribed by legislative rule
9 proposed in accordance with article three, chapter twenty-
10 nine-a of this code and may include the following:

11 (1) A penalty fee to be assessed against spending units
12 of state government who submit claims for payment of
13 goods and services when those claims are authorized to be
14 paid by use of a state purchasing card and the spending
15 unit has failed to utilize the state purchasing card; and

16 (2) A transaction fee to be assessed against spending
17 units of state government for every transaction received,
18 electronically or otherwise, by the auditor from the
19 centralized accounting system.

20 (b) All fees collected under this section shall be
21 deposited into the "Technology Support and Acquisition
22 Fund" which is hereby created in the state treasury to be
23 administered by the auditor. The auditor and treasurer
24 shall use moneys deposited in the fund to maintain and
25 develop the state purchasing card program, support the
26 fiscal operations of the state, including the state centralized
27 accounting system, and to acquire and improve the
28 technology required to support these functions: *Provided,*
29 That expenditures from the fund are authorized from
30 collections and are to be made only in accordance with an
31 appropriation by the Legislature and in accordance with
32 the provision of article three of this chapter and upon
33 fulfillment of the provisions set forth in article two,
34 chapter five-a of this code: *Provided, however,* That for
35 the fiscal year ending the thirtieth day of June, one
36 thousand nine hundred ninety-eight, expenditures from
37 the fund may be made from collections: *Provided further,*
38 That the Legislature is exempt from any fees imposed
39 under this section.

ARTICLE 3. APPROPRIATIONS, EXPENDITURES AND DEDUC- TIONS.

§12-3-10d. Purchasing card fund created; expenditures.

1 All money received by the state pursuant to any
2 agreement with vendors providing purchasing charge
3 cards shall be deposited in a special revenue revolving
4 fund designated the "Purchasing Card Administration
5 Fund," in the state treasury to be administered by the
6 auditor. All expenses by the auditor in the implementation
7 and operation of the purchasing card program shall be
8 paid from the fund. Expenditures from the fund shall be
9 made in accordance with appropriations by the Legislature
10 pursuant to the provisions of article three, chapter twelve
11 of this code and upon fulfillment of the provisions of
12 article two, chapter five-a of this code.

**§12-3-10e. Purchasing card advisory committee created;
purpose; membership; expenses.**

1 There is created a purchasing card advisory committee
2 to enhance the development and implementation of the
3 purchasing card program. The committee shall solicit
4 input from state agencies and make recommendations to
5 improve the performance of the purchasing card program.
6 The committee consists of eleven members to be
7 appointed as follows:

8 (1) The auditor shall serve as chairperson of the
9 committee and shall appoint three members from the state
10 college system of West Virginia and the university system
11 of West Virginia, one member from the department of
12 health and human resources, and one member from the
13 division of highways;

14 (2) The secretary of the department of administration
15 shall appoint one member from the information services
16 and communications division, one member from the
17 financial accounting and reporting section, and one
18 member from the purchasing division;

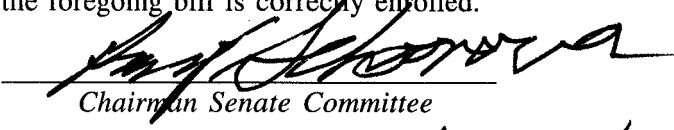
19 (3) The secretary of the department of tax and
20 revenue shall appoint one member from the department of
21 tax and revenue; and

22 (4) The state treasurer shall appoint one member from
23 that office.

24 Committee members shall be appointed for a term of

25 one year, commencing on the first day of July, one
26 thousand nine hundred ninety-eight. Committee members
27 shall receive reimbursement for expenses actually incurred
28 in the performance of their duties on the committee.

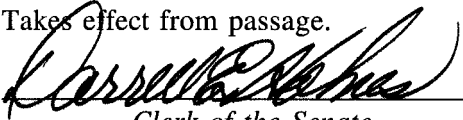
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

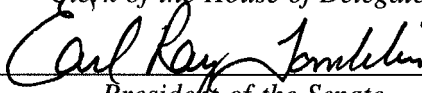

Chairman House Committee

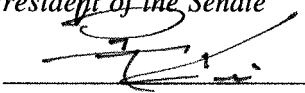
Originating in the House.

Takes effect from passage.

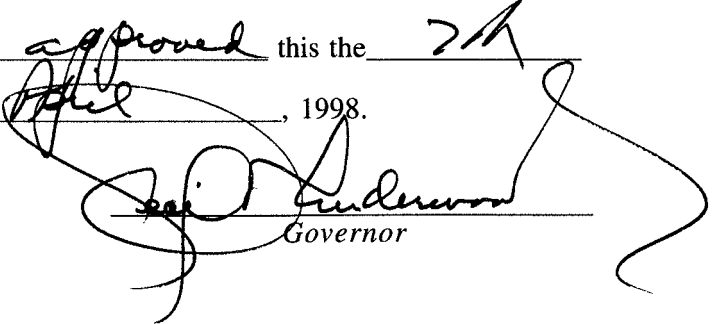

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 21st
day of April, 1998.


Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 12:05pm