ENROLLED

House Bill No. 3237

(By Delegates Michael, Cann, Boggs, Compton, Kominar, Ashley and Stalnaker)

Passed April 14, 2001

In Effect Ninety Days from Passage
AN ACT to amend and reenact section three, article two, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to receipt of funds by officials, employees and spending units of the state; requiring a spending unit to obtain authorization to deposit funds in an account outside the treasury; and requiring return of funds upon revocation of authorization.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. PAYMENT AND DEPOSIT OF TAXES AND OTHER AMOUNTS DUE THE STATE OR ANY POLITICAL SUBDIVISION.

§ 12-2-3. Deposit of moneys not due the state.
All officials and employees of the state authorized to accept moneys that the state treasurer determines or that this code specifies are not funds due the state pursuant to the provisions of section two of this article shall deposit the moneys, as soon as practicable, in the manner and in the depository specified by the treasurer. The treasurer shall prescribe the forms and procedures for depositing the moneys. A spending unit shall obtain written authorization from the state treasurer before depositing the funds in an account outside the treasury. Upon the treasurer’s written revocation of the authorization, the spending unit shall deposit funds deposited in an account outside the treasury in the treasury in the manner and in the depository specified by the treasurer. The treasurer is the final determining authority as to whether these funds are funds due or not due the state pursuant to section two of this article. The treasurer shall on a quarterly basis provide the legislative auditor with a report of all accounts approved by him or her.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In 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 1st day of May, 2001.

Governor