WEST VIRGINIA LEGISLATURE

Regular Session, 2001

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ENROLLED

Committee Substitute for

SENATE BILL NO. _____415_____

(By Senator _Love, et al_____)

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PASSED _____April 14, 2001_____

In Effect _July 1, 2001_ ~~Passage~~

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 415

(SENATORS LOVE, ANDERSON, BAILEY, BOLEY, BOWMAN,
CALDWELL, EDGELL, FACEMYER, FANNING, HUNTER, MINARD,
MITCHELL, PREZIOSO, REDD, ROSS, ROWE, SPROUSE, PLYMALE
AND MINEAR, *original sponsors*)

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[Passed April 14, 2001; to take effect July 1, 2001.]

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AN ACT to amend chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-one, relating to authorizing rainy day funds for counties known as a financial stabilization fund; naming act; providing findings of the Legislature; authorizing county commissions to create financial stabilization funds; specifying the receipts available for the fund; establishing cap of 30 percent for the fund; authorizing investment of funds; and specifying authorized expenditures from the fund.

Be it enacted by the Legislature of West Virginia:

That chapter seven of the code of West Virginia, one thou-
sand nine hundred thirty-one, as amended, be amended by
adding thereto a new article, designated article twenty-one, to
read as follows:

ARTICLE 21. COUNTY FINANCIAL STABILIZATION FUND ACT.

§7-21-1. Short title.

1   This article may be known and cited as the "County
2   Financial Stabilization Fund Act".

§7-21-2. Findings and declarations.

1   The Legislature finds and declares that:

2   (1) County government should maintain a prudent level
3   of financial resources to try to protect against reducing
4   service levels or raising taxes and fees because of tempo-
5   rary revenue shortfalls, unpredicted one-time expenditures
6   or emergency situations; and

7   (2) The creation, maintenance and use of a financial
8   stabilization fund will provide counties with assistance to
9   meet these challenges, as well as enable them to improve
10   their financial management and practices.

§7-21-3. Budget stabilization fund; creation; appropriation; maximum.

1   (a) A county commission may create a "financial stabili-
2   zation fund" by a majority vote of the members. The fund
3   may receive appropriations, gifts, grants and any other
4   funds made available.

5   (b) The county commission may appropriate a sum to the
6   fund from any surplus in the general fund at the end of
7   each fiscal year or from any other money available.

8   (c) The amount of money in the fund may not exceed 30
9   percent of the county's most recent general fund budget, as
10   originally adopted. When the fund exceeds the thirty

11   percent, the county commission shall transfer the excess to
12   any fund it considers appropriate.

§7-21-4. Fund investment; usage.

1   (a) The county commission may invest the money in the
2   fund as it considers appropriate, with the earnings re-
3   tained by the fund.

4   (b) The county commission may appropriate money in
5   the financial stabilization fund upon a majority vote for
6   any of the following purposes:

7   (1) To cover a general fund shortfall; or

8   (2) Any other purpose the commission considers appro-
9   priate.

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

....
Chairman Senate Committee

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Chairman House Committee

Originated in the Senate.

To take effect July 1, 2001.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker House of Delegates

The within .... this the .27.th.....

Day of ...., 2001.

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Governor