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2007 SEP -6 AM 10: 21

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**SECOND EXTRAORDINARY SESSION, 2007**

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**ENROLLED**

**Senate Bill No. 2006**

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND CARUTH,  
BY REQUEST OF THE EXECUTIVE)

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[Passed August 21, 2007; to take effect from passage.]

9002  
SB

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## Senate Bill No. 2006

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND CARUTH,  
BY REQUEST OF THE EXECUTIVE)

[Passed August 21, 2007; in effect from passage.]

AN ACT to amend and reenact §5B-2-12 of the Code of West Virginia, 1931, as amended, relating to the Tourism Promotion Fund; and adding advertising on the internet to the definition of “direct advertising”.

*Be it enacted by the Legislature of West Virginia:*

That §5B-2-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. WEST VIRGINIA DEVELOPMENT OFFICE.**

**§5B-2-12. Tourism Promotion Fund created; use of funds.**

1       There is hereby continued in the State Treasury the  
2 special revenue fund known as the Tourism Promotion  
3 Fund created under prior enactment of section nine,  
4 article one of this chapter.

5       (a) The Legislature finds that a courtesy patrol  
6 program providing assistance to motorists on the  
7 state's highways is one of the most beneficial methods  
8 to introduce a tourist visiting the state of the state's  
9 hospitality and good will. For that reason, four  
10 million seven hundred thousand dollars of the moneys  
11 deposited in the fund each year shall be deposited in a  
12 special revenue account in the State Treasury to be  
13 known as the Courtesy Patrol Fund. Expenditures  
14 from the fund shall be used solely to fund the courtesy  
15 patrol program providing assistance to motorists on  
16 the state's highways. Amounts collected in the fund  
17 which are found, from time to time, to exceed funds  
18 needed for the purposes set forth in this subdivision  
19 may be transferred to other accounts or funds and  
20 redesignated for other purposes by appropriation of  
21 the Legislature.

22       (b) If there are funds remaining after the  
23 distribution required in subdivision (a) of this section,  
24 a minimum of five percent of the moneys deposited  
25 remaining in the fund each year shall be used solely  
26 for direct advertising for West Virginia travel and  
27 tourism: *Provided*, That no less than twenty percent  
28 of these funds be expended, with the approval of the  
29 Director of the Division of Natural Resources, to  
30 effectively promote and market the state's parks, state  
31 forests, state recreation areas and wildlife  
32 recreational resources. Direct advertising means  
33 advertising which is limited to television, radio,  
34 mailings, newspaper, magazines, the internet and  
35 outdoor billboards or any combination thereof.

36 (c) The balance of the moneys deposited in the fund  
37 shall be used for direct advertising within the state's  
38 travel regions as defined by the commission. The  
39 funds shall be made available to these districts  
40 beginning the first day of July, one thousand nine  
41 hundred ninety-five, according to legislative rules  
42 authorized for promulgation by the Tourism  
43 Commission.

44 (d) All advertising expenditures over twenty-five  
45 thousand dollars from the Tourism Promotion Fund  
46 require prior approval by recorded vote of the  
47 commission. No member of the commission or of any  
48 committee created by the commission to evaluate  
49 applications for advertising or other grants may  
50 participate in the discussion of, or action upon, an  
51 application for or an award of any grant in which the  
52 member has a direct financial interest.

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

*Ch White*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*Russell B. Thomas*  
.....  
Clerk of the Senate

*Gregory W. Sny*  
.....  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* ..... this  
the *6* Day of *September* ..... 2007.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

Date 8/27/07

Time 11:20 am