ENROLLED

House Bill No. 4634

(By Delegate White)

Passed March 10, 2012

To Take Effect Ninety Days From Passage
AN ACT to amend and reenact §49-6C-1 of the Code of West Virginia, 1931, as amended; and to amend and reenact §60-2-21 of said code, all relating to fiscal audits conducted by the Legislative Auditor of the Alcohol Beverage Control Commission and the Children's Trust Fund; increasing audits of the Alcohol Beverage Control Commission from two fiscal years to five fiscal years; and increasing audits of the Children's Trust Fund from three fiscal years to five fiscal years.

Be it enacted by the Legislature of West Virginia:

That §49-6C-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §60-2-21 of said code be amended and reenacted, all to read as follows:

CHAPTER 49. WEST VIRGINIA CHILD PROTECTIVE SERVICES ACT.

ARTICLE 6C. CHILDREN'S TRUST FUND.

§49-6C-1. Continuation and transfer of control of trust fund.

1 (a) The Children’s Fund, created for the sole purpose of
2 awarding grants, loans and loan guarantees for child abuse
and neglect prevention activities by enactment of chapter twenty-seven, Acts of the Legislature, 1984, as last amended and reenacted by chapter one hundred fifty-nine, Acts of the Legislature, 1999, is hereby continued and renamed the West Virginia Children's Trust Fund: Provided, That upon the effective date of the enactment of this section during the second extraordinary session of the 2007 Legislature, the fund shall be administered by the Commissioner of the Bureau for Children and Families. Gifts, bequests or donations for this purpose, in addition to appropriations to the fund, shall be deposited in the State Treasury in a special revenue account under the control of the Secretary of the Department of Health and Human Resources or his or her designee.

(b) Each state taxpayer may voluntarily contribute a portion of the taxpayer's state income tax refund to the Children's Trust Fund by designating the contribution on the state personal income tax return form. The bureau shall approve the wording of the designation on the income tax return form. The State Tax Commissioner shall determine by July 1, of each year the total amount designated pursuant to this subsection and shall report that amount to the State Treasurer, who shall credit that amount to the Children's Trust Fund.

(c) All interest accruing from investment of moneys in the Children's Trust Fund shall be credited to the fund. The Legislative Auditor shall conduct an audit of the fund at least every five fiscal years.

(d) Grants, loans and loan guarantees may be awarded from the Children's Trust Fund by the Commissioner of the Bureau for Children and Families for child abuse and neglect prevention activities.
(e) Upon the effective date of the enactment of this section, all employees, records, responsibilities, obligations, assets and property, of whatever kind and character, of the Governor’s Cabinet on Children and Families are hereby transferred to the Bureau for Children and Families within the Department of Health and Human Resources, including, but not limited to, all rights and obligations held by the Governor’s Cabinet on Children and Families under any grants, loans or loan guarantees previously awarded from the Children’s Trust Fund.

(f) All orders, determinations, rules, permits, grants, contracts, certificates, licenses, waivers, bonds, authorizations and privileges which have been issued, made, granted or allowed to become effective by the Governor, by any state department or agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which have been transferred to the Bureau for Children and Families within the Department of Health and Human Resources, and were in effect on the date the transfer occurred continue in effect, for the benefit of the department, according to their terms until modified, terminated, superseded, set aside or revoked in accordance with the law by the Governor, the Secretary of the Department of Health and Human Resources or other authorized official, a court of competent jurisdiction or by operation of law.

CHAPTER 60. STATE CONTROL OF ALCOHOLIC LIQUORS.

ARTICLE 2. ALCOHOLIC BEVERAGE CONTROL COMMISSIONER.


At least every five fiscal years, the Legislative Auditor shall audit the affairs of the West Virginia Alcohol Beverage
3 Control Commissioner and report the results of the audit to
4 the Governor. The cost of the audit shall be paid from the
5 operating fund.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the 30th day of March, 2012.

Governor
PRESENTED TO THE GOVERNOR

MAR 29 2012

Time 1:35 pm