

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

House Bill 3022

BY DELEGATE SHOTT

FILED
2017 APR 26 P 8:32
OFFICE WEST VIRGINIA
SECRETARY OF STATE

[Passed April 8, 2017; in effect ninety days from passage.]

HB 3022

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1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §7-1-16; to amend said code by adding thereto a new section, designated §8-
3 9-4; and to amend said code by adding thereto a new section, designated §30-1-5a, all
4 relating to the reporting of fraud, misappropriation of moneys, and other violations of law
5 relating to the public trust to the commission on special investigations; requiring reporting
6 when a county commission, or any of a county's boards, committees, or certain other
7 county entities obtain certain information regarding misappropriation, fraud or violations of
8 law relating to the public trust; requiring reporting when a municipality, or any of a
9 municipality's boards, committees, or certain other municipal entities obtain certain
10 information regarding misappropriation, fraud or violations of law relating to the public
11 trust; requiring reporting when certain professional and occupational boards of the state
12 obtain certain information regarding misappropriation, fraud or violations of law relating to
13 the public trust; and clarifying that the reporting requirements do not prevent, relieve or
14 replace a report to law-enforcement where appropriate or warranted.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §7-1-16, that said code be amended by adding thereto a new section,
3 designated §8-9-4, and that said code be amended by adding thereto a new section, designated
4 §30-1-5a, all to read as follows:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-16. Reporting of fraud and misappropriation of funds.

1 (a) Whenever a county commission, or any of a county's boards, committees, or any other
2 entities of any kind or nature authorized in this chapter, obtains information that an employee,
3 officer or member of the county commission, or any of a county's boards, committees, or any

4 other entities of any kind or nature authorized in this chapter may have misappropriated funds,
5 engaged in fraud, or otherwise violated a law relating to the public trust, the county commission,
6 or the county's board, committee, or other entity authorized in this chapter shall timely report such
7 information or allegation in writing to the county prosecutor's office.

8 (b) The reporting of such information under subsection (a) of this section shall not prevent,
9 relieve or replace a report to a law-enforcement agency, if appropriate or warranted.

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 9. PROCEEDINGS OF GOVERNING BODIES.

§8-9-4. Reporting of fraud and misappropriation of funds.

1 (a) Whenever a governing body of a municipality, or any of a municipality's boards,
2 committees, or any other entities of any kind or nature authorized in this chapter, obtains
3 information that an employee, officer or member of municipality, or any of a municipality's boards,
4 committees, or any other entities of any kind or nature authorized in this chapter may have
5 misappropriated funds, engaged in fraud, or otherwise violated a law relating to the public trust,
6 municipality, or any of a municipality's board, committee, or any other entity authorized in this
7 chapter shall timely report such information or allegation in writing to the county prosecutor's
8 office.

9 (b) The reporting of such information under subsection (a) of this section shall not prevent,
10 relieve or replace a report to a law-enforcement agency, if appropriate or warranted.

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.

§30-1-5a. Reporting of fraud and misappropriation of funds.

1 (a) Whenever a board referred to in this chapter obtains information that an employee,
2 officer or member of the board may have misappropriated funds, engaged in fraud, or otherwise

3 violated a law relating to the public trust, the board shall timely report such information or
4 allegation in writing to the commission on special investigations, established in article five, chapter
5 four of this code.

6 (b) The reporting of such information under subsection (a) of this section shall not prevent,
7 relieve or replace a report to a law-enforcement agency, if appropriate or warranted.

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



.....
Chairman, House Committee


.....
Member Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.


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Clerk of the House of Delegates


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Clerk of the Senate


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Speaker of the House of Delegates

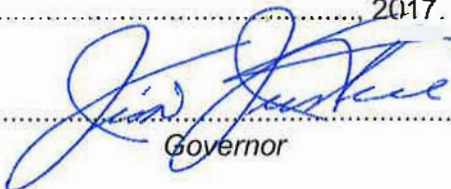

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President of the Senate

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 26 P 8:32

FILED

The within is approved this the 26th
day of April, 2017.


.....
Governor

PRESENTED TO THE GOVERNOR

APR 21 2017

Time 3:57 pm