ENROLLED

Senate Bill 690

BY SENATORS TRUMP, WELD, CLEMENTS, CLINE, FERNS, KARNES, MAYNARD, RUCKER, SMITH, SWOPE, BEACH, JEFFRIES, MILLER, OJEDA, ROMANO, AND WOELFEL

[Passed April 6, 2017; in effect from passage]
Enr. SB 690

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Senate Bill 690

BY SENATORS TRUMP, WELD, CLEMENTS, CLINE, FERNS,

KARNES, MAYNARD, RUCKER, SMITH, SWOPE, BEACH,

JEFFRIES, MILLER, OJEDA, ROMANO, AND WOELFEL

[Passed April 6, 2017; in effect from passage]
AN ACT to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating to authorizing the Superintendent of the West Virginia State Police to impose and collect a fee for agencies and entities using the facilities under his or her direction for training purposes.

Be it enacted by the Legislature of West Virginia:

That §15-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-3. State Police structure; how established; training; special revenue account.

(a) The superintendent shall create, appoint and equip the State Police which shall consist of the number of troops, districts and detachments required for the proper administration of the State Police. Each troop, district or detachment shall be composed of the number of officers and members the superintendent determines are necessary to meet operational needs and are required for the efficient operation of the State Police. The superintendent shall establish the general organizational structure of the State Police by interpretive rule in accordance with the provisions of article three, chapter twenty-nine-a of this code. The superintendent shall provide adequate facilities for the training of all members of the State Police and shall prescribe basic training requirements for newly enlisted members. He or she shall also provide advanced or in-service training, from time to time, for all members of the State Police. The superintendent shall hold entry-level training classes for other law-enforcement officers in the state without cost to those officers, except actual expenses for food, lodging and school supplies. The superintendent may hold advanced levels of training classes for other law-enforcement officers and those individuals in law enforcement-related professions for a reasonable daily fee per student not to exceed $100. The superintendent may also allow the use of classrooms, firearms training facilities and other training venues by other agencies or entities for a daily fee not to exceed $100 per day, per venue.
(b) There is hereby created in the State Treasury a special revenue account, which shall be an interest bearing account, to be known as the Academy Training and Professional Development Fund. The special revenue account shall consist of training fees, any appropriations that may be made by the Legislature, income from the investment of moneys held in the special revenue account and all other sums available for deposit to the special revenue account from any source, public or private. No expenditures, for purposes of this section, are authorized from collections except in accordance with the provisions of article three, chapter twelve of this code and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the special revenue account at the end of any state fiscal year does not revert to the General Revenue Fund but remains in the special revenue account and shall be used solely in a manner consistent with this article. The superintendent is authorized to expend funds from the account to offset operational and training costs; for building maintenance and repair; for purchases and for equipment repair or replacement for the West Virginia State Police Academy; and to defray necessary expenses incidental to those and other activities associated with law-enforcement training.

(c) There is hereby created in the State Treasury a special revenue account, which is an interest bearing account, to be known as the State Police 100th Anniversary Fund. The special revenue account shall consist of merchandise sales, any appropriations that may be made by the Legislature, income from the investment of moneys held in the special revenue account and all other sums available for deposit to the special revenue account from any source, public or private. No expenditures for purposes of this section are authorized from collections except in accordance with the provisions of article three, chapter twelve of this code and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the special revenue account at the end of any state fiscal year does not revert to the General Revenue Fund but remains in the special revenue account and shall be used solely in a manner consistent with this article. The superintendent is authorized to expend funds from the account to offset costs
for the 100th anniversary celebration; for purchasing 100th anniversary commemorative merchandise, equipment and vehicles; and to defray necessary expenses incidental to those and other activities associated with the 100th anniversary of the West Virginia State Police. This fund expires on December 31, 2019, and remaining funds shall be transferred to the Academy Training and Professional Development Fund.

(d) The superintendent may hold training classes for certification to access and use the West Virginia Automated Police Network for a reasonable daily fee per student not to exceed $100.

(e) There is hereby created in the State Treasury a special revenue account, which is an interest bearing account, to be known as the West Virginia State Police Criminal Justice Information Services Fund. The special revenue account shall consist of: Fees collected for training and certification for access to the West Virginia Automated Police Network system; any appropriations that may be made by the Legislature; income from the investment of moneys held in the special revenue account; and all other sums available for deposit to the special revenue account from any source, public or private. Any balance remaining in the special revenue account at the end of any state fiscal year does not revert to the General Revenue Fund but remains in the special revenue account and may be used solely in a manner consistent with this article. The superintendent is authorized to expend funds from the account for the following purposes: To offset operational and training costs; for building maintenance and repair; for purchases and for equipment repair; personal services; software; other associated maintenance costs; and to defray necessary expenses incidental to those and other activities associated with the communications section of the West Virginia State Police.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, Senate Committee

Chairman, House Committee

Originated in the Senate.

In effect 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 18th Day of April, 2017.

Governor
PRESENTED TO THE GOVERNOR

APR 13 2017

Time 9:07 am