

H. B. 2254

(By Delegate T. Campbell)
[Introduced January 12, 2011; referred to the
Committee on Roads and Transportation then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §5B-2-12 of the Code of West Virginia,
1931, as amended, relating to authorizing excess funds in the
Courtesy Patrol Fund to be transferred back to the Tourism
Promotion Fund.

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.

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

(a) The Legislature finds that a courtesy patrol program
providing assistance to motorists on the state's highways is one of
the most beneficial methods to introduce a tourist visiting the

1 state of the state's hospitality and good will. For that reason,
2 \$4,700,000 of the moneys deposited in the fund each year shall be
3 deposited in a special revenue account in the State Treasury to be
4 known as the Courtesy Patrol Fund according to the following
5 schedule: On July 31 of each year, \$850,000, and on the last day
6 of each month thereafter, \$350,000. Expenditures from the fund
7 shall be used solely to fund the courtesy patrol program providing
8 assistance to motorists on the state's highways. At the end of
9 each fiscal year, amounts collected in the fund which are found,
10 from time to time, to exceed funds needed for the purposes set
11 forth in this subdivision ~~may~~ shall be transferred ~~to other~~
12 ~~accounts or funds and redesignated for other purposes by~~
13 ~~appropriation of the Legislature~~ back to the Tourism Promotion
14 Fund.

15 (b) If there are funds remaining after the monthly
16 distribution required in subdivision (a) of this section, a minimum
17 of five percent of the moneys deposited remaining in the fund each
18 year shall be used solely for direct advertising for West Virginia
19 travel and tourism: *Provided,* That no less than twenty percent of
20 these funds be expended, with the approval of the Director of the
21 Division of Natural Resources, to effectively promote and market
22 the state's parks, state forests, state recreation areas and
23 wildlife recreational resources. Direct advertising means
24 advertising which is limited to television, radio, mailings,

1 newspaper, magazines, the Internet and outdoor billboards or any
2 combination thereof.

3 (c) The balance of the moneys deposited in the fund shall be
4 used for direct advertising within the state's travel regions as
5 defined by the commission. The funds shall be made available to
6 these districts beginning July 1, 1995, according to legislative
7 rules authorized for promulgation by the Tourism Commission.

8 (d) All advertising expenditures over \$25,000 from the Tourism
9 Promotion Fund require prior approval by recorded vote of the
10 commission. No member of the commission or of any committee
11 created by the commission to evaluate applications for advertising
12 or other grants may participate in the discussion of, or action
13 upon, an application for or an award of any grant in which the
14 member has a direct financial interest.

NOTE: The purpose of this bill is to authorize excess funds in
the Courtesy Patrol Fund to be transferred back to the Tourism
Promotion Fund.

Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.