

H. B. 4365

(By Delegates Morgan, Stephens, Hatfield and
Householder)

[Introduced February 1, 2012; referred to the
Committee on Government Organization then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §30-1-10 of the Code of West Virginia,
1931, as amended, relating to increasing the amount of excess
funds which may be retained by licensing boards.

Be it enacted by the Legislature of West Virginia:

That §30-1-10 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

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

§30-1-10. Disposition of money fines; legislative audit.

(a) The secretary of every board referred to in this chapter
shall receive and account for all money which it derives pursuant
to the provisions of this chapter which are applicable to it. With
the exception of money received as fines, each board shall pay all
money which is collected into a separate special fund of the State
Treasury which has been established for each board. This money

1 shall be used exclusively by each board for purposes of
2 administration and enforcement of its duties pursuant to this
3 chapter. Any money received as fines shall be deposited into the
4 General Revenue Fund of the State Treasury. When the special fund
5 of any board accumulates to an amount which exceeds ~~twice the~~
6 ~~annual budget of the board or \$10,000, whichever is greater~~ three
7 times the average of the last three years annual expenditures, the
8 excess amount shall be transferred by the State Treasurer to the
9 State General Revenue Fund.

10 (b) Every licensing board which is authorized by the
11 provisions of this chapter shall be subject to audit by the office
12 of the Legislative Auditor.

NOTE: The purpose of this bill is to authorize professional
licensing boards to keep up to four times the annual budget in
excess revenues.

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