

Senate Bill No. 373

(By Senators Unger, Kessler (Mr. President) and Snyder)

[Introduced January 20, 2012; referred to the Committee on Government Organization; and then to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating to training at the West Virginia State Police Training Academy; authorizing entry-level training to be provided without a fee and advanced training to be provided for a fee; creating a special revenue account to be known as the Academy Training and Professional Development Fund; and authorizing expenditures from the fund for specific training-related expenses.

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

1 State Police which shall consist of the number of troops, districts
2 and detachments required for the proper administration of the State
3 Police. Each troop, district or detachment shall be composed of
4 the number of officers and members the superintendent determines
5 are necessary to meet operational needs and are required for the
6 efficient operation of the State Police. The superintendent shall
7 establish the general organizational structure of the State Police
8 by interpretive rule in accordance with the provisions of article
9 three, chapter twenty-nine-a of this code. The superintendent
10 shall provide adequate facilities for the training of all members
11 of the State Police and shall prescribe basic training requirements
12 for newly enlisted members. He or she shall also provide advanced
13 or in-service training from time to time for all members of the
14 State Police. The superintendent shall hold entry-level training
15 classes for other peace officers in the state without cost to those
16 officers, except actual expenses for food, lodging and school
17 supplies. The superintendent may hold advanced levels of training
18 classes for other peace officers in the state for a reasonable fee.

19 (b) There is hereby created in the State Treasury a special
20 revenue account, which shall be an interest bearing account, to be
21 known as the "Academy Training and Professional Development Fund."
22 The special revenue account shall consist of training fees, any
23 appropriations that may be made by the Legislature, income from the
24 investment of moneys held in the special revenue account and all

1 other sums available for deposit to the special revenue account
2 from any source, public or private. No expenditures for purposes
3 of this section are authorized from collections except in
4 accordance with the provisions of article three, chapter twelve of
5 this code and upon fulfillment of the provisions set forth in
6 article two, chapter eleven-b of this code. Any balance remaining
7 in the special revenue account at the end of any state fiscal year
8 does not revert to the General Revenue Fund but remains in the
9 special revenue account and shall be used solely in a manner
10 consistent with this article. The superintendent is authorized to
11 expend funds from the account to offset operational and training
12 costs; for building maintenance and repair, for purchases and for
13 equipment repair or replacement for the West Virginia State Police
14 Academy; and to defray necessary expenses incidental to those and
15 other activities associated with law-enforcement training.

NOTE: The purpose of this bill is to authorize the Superintendent of the State Police to provide entry level training to other law-enforcement officers without charging a fee for the training but to charge a fee for advanced level training. A special revenue account is created which will be used to deposit and disburse any fees or other funds available to pay for the entry level training and to defray various training costs.

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