

Senate Bill No. 598

(By Senators Snyder, Unger, Fitzsimmons, Kessler (Mr. Resident),
Wells and Yost)

[Introduced February 14, 2014; referred to the
Committee on Finance.]

A BILL to amend and reenact §5B-2-12 of the Code of West Virginia,
1931, as amended, relating to the Tourism Promotion Fund; and
providing for excess funds in the Courtesy Patrol Fund to
revert 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 is
continued in the State Treasury.

1 (a) The Legislature finds that a courtesy patrol program
2 providing assistance to motorists on the state's highways is one of
3 the most beneficial methods to introduce a tourist visiting the
4 state of the state's hospitality and good will. For that reason, up
5 to \$4,700,000 of the moneys deposited in the fund each year, as set
6 in the annual budget, shall be deposited in a special revenue
7 account in the State Treasury to be known as the Courtesy Patrol
8 Fund. ~~according to the following schedule: On July 31 of each year,~~
9 ~~\$850,000, and on the last day of each month thereafter, \$350,000.~~
10 Expenditures from the fund shall be used solely to fund the
11 courtesy patrol program providing assistance to motorists on the
12 state's highways. Amounts collected in the fund which are found by
13 the Secretary of Commerce, from time to time, to exceed funds
14 needed for the purposes set forth in this subdivision ~~may be~~
15 ~~transferred to other accounts or funds and redesignated for other~~
16 ~~purposes by appropriation of the Legislature.~~ shall immediately
17 revert and be transferred to the Tourism Promotion Fund.

18 (b) If there are funds remaining after the monthly
19 distribution required in subdivision (a) of this section, a minimum
20 of five percent of the moneys deposited remaining in the fund each
21 year shall be used solely for direct advertising for West Virginia
22 travel and tourism: *Provided*, That no less than twenty percent of
23 these funds be expended, with the approval of the Director of the
24 Division of Natural Resources, to effectively promote and market

1 the state's parks, state forests, state recreation areas and
2 wildlife recreational resources. Direct advertising means
3 advertising which is limited to television, radio, mailings,
4 newspaper, magazines, the Internet and outdoor billboards or any
5 combination thereof.

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

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

NOTE: The purpose of this bill is to provide for excess funds
in the Courtesy Patrol Fund to revert 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.