

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 500

**FISCAL
NOTE**

BY SENATOR HALL

[Introduced February 3, 2016;

Referred to the Committee on Finance.]

1 A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating
2 to authorizing the Superintendent of the State Police to hold training classes for
3 certification to access and use the West Virginia Automated Police Network; authorizing
4 a fee to be charged for the training; creating a fund in which the fees are to be deposited;
5 and addressing the use of the funds.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. WEST VIRGINIA STATE POLICE.

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

1 (a) The superintendent shall create, appoint and equip the State Police which shall consist
2 of the number of troops, districts and detachments required for the proper administration of the
3 State Police. Each troop, district or detachment shall be composed of the number of officers and
4 members the superintendent determines are necessary to meet operational needs and are
5 required for the efficient operation of the State Police. The superintendent shall establish the
6 general organizational structure of the State Police by interpretive rule in accordance with the
7 provisions of article three, chapter twenty-nine-a of this code. The superintendent shall provide
8 adequate facilities for the training of all members of the State Police and shall prescribe basic
9 training requirements for newly enlisted members. He or she shall also provide advanced or in-
10 service training from time to time for all members of the State Police. The superintendent shall
11 hold entry-level training classes for other law-enforcement officers in the state without cost to
12 those officers, except actual expenses for food, lodging and school supplies. The superintendent
13 may hold advanced levels of training classes for other law-enforcement officers in the state for a
14 reasonable daily fee per student not to exceed \$100.

15 (b) There is hereby created in the State Treasury a special revenue account, which shall
16 be an interest bearing account, to be known as the Academy Training and Professional

17 Development Fund. The special revenue account shall consist of training fees, any appropriations
18 that may be made by the Legislature, income from the investment of moneys held in the special
19 revenue account and all other sums available for deposit to the special revenue account from any
20 source, public or private. No expenditures for purposes of this section are authorized from
21 collections except in accordance with the provisions of article three, chapter twelve of this code
22 and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any
23 balance remaining in the special revenue account at the end of any state fiscal year does not
24 revert to the General Revenue Fund but remains in the special revenue account and shall be
25 used solely in a manner consistent with this article. The superintendent is authorized to expend
26 funds from the account to offset operational and training costs; for building maintenance and
27 repair, for purchases and for equipment repair or replacement for the West Virginia State Police
28 Academy; and to defray necessary expenses incidental to those and other activities associated
29 with law-enforcement training.

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

43 other activities associated with the 100th Anniversary of the West Virginia State Police. This fund
44 ~~shall expire~~ expires on December 31, 2019 and remaining funds shall be transferred to the
45 Academy Training and Professional Development Fund.

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

49 (d) There is created in the State Treasury a special revenue account, which is an interest
50 bearing account, to be known as the West Virginia State Police Criminal Justice Information
51 Services Fund. The special revenue account shall consist of fees collected for training and
52 certification for access of the West Virginia Automated Police Network (WEAPON) system and
53 any appropriations that may be made by the Legislature, income from the investment of moneys
54 held in the special revenue account and all other sums available for deposit to the special revenue
55 account from any source, public or private. Any balance remaining in the special revenue account
56 at the end of any state fiscal year does not revert to the General Revenue Fund but remains in
57 the special revenue account and may be used solely in a manner consistent with this article. The
58 superintendent is authorized to expend funds from the account to offset operational and training
59 costs; for building maintenance and repair, for purchases and for equipment repair, personal
60 services, software, other associated maintenance costs and to defray necessary expenses
61 incidental to those and other activities associated with the Communications Section.

NOTE: The purpose of this bill is to authorize the Superintendent of the State Police to hold training classes for certification to access and use the West Virginia Automated Police Network. It authorizes a fee to be charged for the training, creates a fund in which the fees are to be deposited, and specifies how the funds may be used.

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