

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2921

FISCAL
NOTE

2015 Carryover

(BY DELEGATE BUTLER)

[Introduced January 13, 2016; referred to the
Committee on Government Organization then
Finance.]

1 A BILL to amend and reenact §5B-2-12 of the Code of West Virginia, 1931, as amended, relating
 2 to eliminating the courtesy patrol program; abolishing the courtesy patrol fund; and
 3 directing any remaining balance to the tourism promotion fund.

Be it enacted by the Legislature of West Virginia:

1 That §5B-2-12 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 2. WEST VIRGINIA DEVELOPMENT OFFICE.

§5B-2-12. Tourism Promotion Fund created; use of funds.

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

4 (a) ~~The Legislature finds that a courtesy patrol program providing assistance to motorists~~
 5 ~~on the state's highways is one of the most beneficial methods to introduce a tourist visiting the~~
 6 ~~state to the state's hospitality and good will. For that reason, up to \$4,700,000 of the moneys~~
 7 ~~deposited in the fund each year shall be transferred to a special revenue account in the State~~
 8 ~~Treasury known as the Courtesy Patrol Fund. Expenditures from the fund shall be used solely~~
 9 ~~to fund the courtesy patrol program providing assistance to motorists on the state's highways.~~
 10 ~~Amounts collected in the fund which are found, from time to time, to exceed funds needed for~~
 11 ~~the purposes set forth in this subdivision may be transferred to other accounts or funds and~~
 12 ~~redesignated for other purposes by appropriation of the Legislature. Notwithstanding any~~
 13 ~~provision of article ten, chapter four of this code to the contrary, upon the effective date of the~~
 14 ~~reenactment of this section in 2015:~~

15 (1) The courtesy patrol program is terminated and no longer continues in existence;

16 (2) The Courtesy Patrol Fund is abolished; and

17 (3) Any balances remaining in the Courtesy Patrol Fund shall be transferred to the
18 Tourism Promotion Fund for expenditure as provided in this section.

19 ~~(b) If there are funds remaining after the transfers required in subdivision (a) of this~~
20 ~~section~~ A minimum of five percent of the moneys deposited remaining in the fund each year
21 shall be used solely for direct advertising for West Virginia travel and tourism: *Provided, That*
22 no less than twenty percent of these funds be expended, with the approval of the Secretary of
23 Commerce, to effectively promote and market the state's parks, state forests, state recreation
24 areas and wildlife recreational resources. "Direct advertising" means advertising which is
25 limited to television, radio, mailings, newspaper, magazines, the Internet and outdoor billboards
26 or any combination thereof.

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

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

NOTE: The purpose of this bill is to eliminate the Courtesy Patrol Program and abolish the Courtesy Patrol Fund.

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