

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 448

BY SENATOR TRUMP

[Introduced January 20, 2022; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

1 A BILL to amend and reenact §15-14-6 and §15-14-9 of the Code of West Virginia, 1931, as
2 amended, all relating to clarifying that the Statewide Interoperability Executive Committee
3 is responsible to develop, update, and implement policies regarding the Statewide
4 Interoperable Radio Network; allowing the Statewide Interoperability Executive Committee
5 to revoke, suspend, or modify an entity's use of the Statewide Interoperable Radio
6 Network or equipment connected thereto; directing the Statewide Interoperability
7 Executive Committee to provide guidance and services to any radio previously connected
8 to the Statewide Interoperable Radio Network; authorizing the Statewide Interoperability
9 Executive Committee to develop a recycling program for two-way telecommunications
10 equipment, exclusive of equipment handled by the Office of Technology, in an effort to
11 cleanse, reuse, redistribute, or sell such equipment; and directing that moneys received
12 from the sale of recycled equipment be placed in the Statewide Interoperable Radio
13 Network special revenue account.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. THE STATEWIDE INTEROPERABLE RADIO NETWORK.

§15-14-6. Duties of the Statewide Interoperability Executive Committee.

1 The Executive Committee shall:

2 (1) Monitor the implementation and operation of the Statewide Interoperable Radio
3 Network (SIRN);

4 (2) Establish goals and guidance for the betterment of the SIRN;

5 (3) Review and approve all requests for use of the SIRN and its equipment, by a public or
6 private entity;

7 (4) ~~Serve as the mechanism for developing, updating and implementing~~ Develop, update,
8 and implement policies, procedures, and guidelines related to the SIRN;

9 (5) Identify new technologies and develop technologies and standards for the SIRN;

10 (6) Enhance the coordination of all available resources for public safety communications
11 interoperability;

12 (7) Investigate all matters relating to integrity, foresight in funding and operations and
13 planning for the SIRN;

14 (8) Revoke, suspend, or modify an entity's use of the SIRN and equipment connected to
15 the SIRN;

16 (9) Provide guidance and services where feasible to support the proper cleansing of any
17 decommissioned radio previously connected to the SIRN; and

18 (10) Develop a recycling program for two-way telecommunications equipment, other than
19 any such equipment processed by the Office of Technology pursuant to §5A-6-1 et seq. of this
20 code, in order to redistribute, reuse, or sell properly cleansed two-way telecommunications
21 equipment from all state agencies.

**§15-14-9. Creation of the Statewide Interoperable Radio Network Account; purpose;
funding; disbursements.**

1 (a) There is hereby created in the State Treasury a special revenue account to be known
2 as the Statewide Interoperable Radio Network Account to be administered by the director. The
3 special revenue account shall consist of appropriations made by the Legislature; income derived
4 from the lease of property, towers, or tower space owned, operated, or controlled by the West
5 Virginia Division of Homeland Security and Emergency Management (WVDHSEM) or any other
6 state agency managed as part of the Statewide Interoperable Radio Network (SIRN); moneys
7 received by the Department of Health and Human Resources or WVDHSEM as proceeds of any
8 claims for damages to structures, equipment, or property of any kind, including moneys in the
9 Insurance Property Loss Claims Fund administered by the Division of Health; income from the
10 investment of moneys held in the special revenue account; grant money and all other sums
11 available for deposit to the special revenue account from any source, public or private; and

12 moneys received from the sale of recycled two-way telecommunications equipment pursuant to
13 §15-14-6(10) of this code.

14 (b) Expenditures from the Statewide Interoperable Radio Network Account shall be for the
15 purposes set forth in this article and used exclusively to pay costs, fees, and expenses incurred,
16 or to be incurred for the following purposes: (1) The maintenance, upkeep, and repair of the SIRN;
17 (2) operations of the executive committee; (3) payment of salaries for the SWIC and any personnel
18 required to operate and maintain the SIRN; (4) the design, implementation, and management of
19 the SIRN; (5) all other related SIRN activities approved by the executive committee; and (6) all
20 costs incurred in the administration of the Statewide Interoperable Radio Network Account.
21 Expenditures from the fund are not authorized from collections but are to be made only in
22 accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-
23 1 *et seq.* of this code and upon fulfillment of the provisions of §11B-2-1 *et seq.* of this code:
24 *Provided*, That for the fiscal year ending June 30, 2018, expenditures are authorized from
25 collections rather than pursuant to appropriation by the Legislature.

26 (c) Disbursements from the Statewide Interoperable Radio Network Account shall be
27 authorized by the director or his or her designee. Moneys in the Statewide Interoperable Radio
28 Network Account are not available for the payment of any personal injury claims, workers'
29 compensation claims, or other types of disability claims.

30 (d) Quarterly, the director shall prepare an accounting of all moneys disbursed from and
31 any deposits made to the Statewide Interoperable Radio Network Account. This accounting shall
32 include the reason for the withdraw, the recipients of any withdraw, and the source of any deposit.