

SD 121

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2002



ENROLLED

SENATE BILL NO. 727

(By Senator Craig, et al)



PASSED March 6, 2002

In Effect ninety days from Passage

FILED

2002 MAR 18 P 5:34

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 727

(BY SENATORS CRAIGO, JACKSON, CHAFIN, PREZIOSO, LOVE,
HELMICK, BOWMAN, ANDERSON, EDGELL, UNGER, BOLEY,
MINEAR AND SPROUSE)

[Passed March 6, 2002; in effect ninety days from passage.]

AN ACT to amend article five-k, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six, relating to creating a fund within the state treasury to be known as the "West Virginia Birth-to-Three Fund".

Be it enacted by the Legislature of West Virginia:

That article five-k, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section designated section six, to read as follows:

ARTICLE 5K. EARLY INTERVENTION SERVICES FOR CHILDREN WITH DEVELOPMENTAL DELAYS.

§16-5K-6. West Virginia Birth-to-Three Fund.

1 (a) There is hereby created in the state treasury a fund to
2 be known as the "West Virginia Birth-to-Three Fund" that
3 shall be an interest-bearing account established and
4 maintained to pay costs, fees and expenses incurred, or to
5 be incurred, for early intervention services for children
6 who are developmentally delayed.

7 (b) Funds deposited into this account shall be derived
8 from the following sources:

9 (1) Any appropriations by the Legislature;

10 (2) Fund transfers from any fund of the divisions of the
11 department of health and human resources that, in whole
12 or in part, supports early intervention services;

13 (3) All public funds transferred by any public agency as
14 permitted by applicable law;

15 (4) Any private funds contributed, donated or be-
16 queathed by corporations, individuals or other entities;
17 and

18 (5) All interest or return on investments accruing to the
19 fund.

20 (c) Moneys deposited in this fund shall be used exclu-
21 sively to provide early intervention services to accomplish
22 the purposes of this article. Expenditures of monies
23 deposited in this fund are to be made in accordance with
24 appropriation by the Legislature and in accordance with
25 article three, chapter twelve of this code and upon the
26 fulfillment of the provisions of article two, chapter five-a
27 of this code: *Provided*, That for the fiscal year ending the
28 thirtieth day of June, two thousand three, expenditures are
29 authorized from deposits rather than pursuant to appro-
30 priation by the Legislature.

31 (d) Any balance remaining in this fund at the end of any
32 state fiscal year shall not revert to the state treasury but
33 shall remain in this fund and shall be used only in a
34 manner consistent with this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Carly MVE
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

David Weber
.....
Clerk of the Senate

Suzanne D. Boyd
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *18th*
Day of *March*, 2002.

Bob Wise
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/12/02

Time 10:55 AM