

WEST VIRGINIA LEGISLATURE
2016 FIRST EXTRAORDINARY SESSION

Introduced

House Bill 123

**FISCAL
NOTE**

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATE MILEY

BY REQUEST OF THE EXECUTIVE

[Introduced June 14, 2016.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §11B-2-32, relating to establishing a special revenue fund called the Public
3 Employees Insurance Agency Financial Stability Fund and granting authority to the
4 Secretary of Revenue to redirect certain special revenue funds to the Public Employees
5 Insurance Agency Financial Stability Fund to be used to lower retiree premiums, to help
6 reduce benefit cuts, to help reduce premium increases or any combination thereof.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §11B-2-32, to read as follows:

ARTICLE 2. STATE BUDGET OFFICE.

§11B-2-32. Establish a special revenue fund called Public Employees Insurance Agency Financial Stability Fund; authority of the Secretary of Revenue to redirect certain special revenue funds to the Public Employees Insurance Agency Financial Stability Fund.

1 (a) There is hereby created a special revenue account in the State Treasury, designated
2 the Public Employees Insurance Agency Financial Stability Fund.

3 (b) The Public Employees Insurance Agency Financial Stability Fund shall consist of
4 moneys appropriated by the Legislature and moneys transferred annually pursuant to the
5 provisions of subsection (c) of this section. These moneys shall be appropriated by the
6 Legislature only for the purposes of lowering retiree premiums, to help reduce benefit cuts, to help
7 reduce premium increases or any combination thereof.

8 (c) Notwithstanding any other provisions of this code to the contrary, beginning July 1,
9 2016, and ending June 30, 2020, the Secretary of Revenue shall have the authority to redirect
10 nonaligned state special revenue funds, in the total aggregate amount of not more than \$15 million
11 per fiscal year, to be deposited in the Public Employee Insurance Agency Financial Stability Fund.
12 Not later than thirty days before redirecting the nonaligned state special revenue funds, the

13 secretary shall provide written notice of the amount that will be redirected in each affected account
14 to the Speaker of the House, the Senate President and to the agency head who oversees any
15 account that will have funds redirected into the Public Employee Insurance Agency Financial
16 Stability Fund.

17 (d) For purposes of this section:

18 (1) "Nonaligned state special revenue funds" means state revenue funds that are:

19 (A) Not derived from any federal fund, from any federal grant program or from any other
20 federal revenue source established under the laws of the federal government of the United States
21 of America.

22 (B) Not derived from any state special revenue fund dedicated, directed or designated to
23 be used for operations of the Legislative Branch of government.

24 (C) Not derived from any state special revenue fund dedicated, directed or designated to
25 be used for operations of the Judicial Branch of government, and

26 (D) Not expressly dedicated, directed or designated by the Constitution of this state to be
27 used for an express and specified purpose.

28 (2) "State special revenue funds" means specific revenue sources which, by legislative
29 enactments, are not required to be accounted for as general revenue.

30 (e) It is the intent of the Legislature that this section shall be interpreted to authorize the
31 redirection, diminishment or modification of special revenue funding for constitutional officers.

NOTE: The purpose of this bill is to set up a special revenue fund and to grant the West Virginia Secretary of Revenue the authority to redirect certain special revenue funds to the Public Employee Insurance Agency Financial Stability Fund until June 30, 2020, to be used for certain purposes.

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