

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 192

FISCAL
NOTE

BY SENATOR TARR

[Introduced January 9, 2020; referred
to the Committee on Education]

1 A BILL to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating
 2 to the West Virginia Secondary School Activities Commission; and requiring Legislative
 3 Auditor to perform financial and performance audits of commission.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

**§18-2-25. Authority of county boards to regulate athletic and other extracurricular activities
 of secondary schools; delegation of authority to West Virginia Secondary School
 Activities Commission; authority of commission; approval of rules and regulations
 by state board; incorporation; funds; participation by private and parochial schools.**

1 The county boards of education are hereby granted and shall exercise the control,
 2 supervision and regulation of all interscholastic athletic events, and other extracurricular activities
 3 of the students in public secondary schools, and of said schools of their respective counties. The
 4 county board of education may delegate such control, supervision and regulation of
 5 interscholastic athletic events and band activities to the "West Virginia Secondary School
 6 Activities Commission," which is hereby established.

7 The West Virginia Secondary School Activities Commission shall be composed of the
 8 principals, or their representatives, of those secondary schools whose county boards of education
 9 have certified in writing to the state Superintendent of Schools that they have elected to delegate
 10 the control, supervision and regulation of their interscholastic athletic events and band activities
 11 of the students in the public secondary schools in their respective counties to said commission.
 12 The West Virginia Secondary School Activities Commission is hereby empowered to exercise the
 13 control, supervision and regulation of interscholastic athletic events and band activities of
 14 secondary schools, delegated to it pursuant to this section. The rules and regulations of the West
 15 Virginia Secondary School Activities Commission shall contain a provision for a proper review
 16 procedure and review board and be promulgated in accordance with the provisions of chapter
 17 29A of this code, but shall, in all instances be subject to the prior approval of the state board. The

18 West Virginia Secondary School Activities Commission, may, with the consent of the state Board
19 of Education, incorporate under the name of "West Virginia Secondary School Activities
20 Commission, Inc.," as a nonprofit, nonstock corporation under the provisions of chapter 31 of this
21 code. County boards of education are hereby authorized to expend moneys for and pay dues to
22 the West Virginia Secondary School Activities Commission, and all moneys paid to such
23 commission, as well as moneys derived from any contest or other event sponsored by said
24 commission, shall be quasi-public funds as the same are defined in §18-5-1 *et seq.* of this code,
25 and such funds of the commission shall be subject to an annual audit by the State Tax
26 Commissioner. In addition, the Legislative Auditor may periodically perform financial and
27 performance audits of the commission. The Legislative Auditor shall perform his or her initial
28 financial and performance audits of the commission by December 1, 2021.

29 The West Virginia Secondary School Activities Commission shall promulgate reasonable
30 rules ~~and regulations~~ providing for the control, supervision and regulation of the interscholastic
31 athletic events and other extracurricular activities of such private and parochial secondary schools
32 as elect to delegate to such commission such control, supervision and regulation, upon the same
33 terms and conditions, subject to the same ~~regulations~~ rules and requirements and upon the
34 payment of the same fees and charges as those provided for public secondary schools. Any such
35 private or parochial secondary school shall receive any monetary or other benefits in the same
36 manner and in the same proportion as any public secondary school.

NOTE: The purpose of this bill is to require the Legislative Auditor to perform financial and performance audits of the West Virginia Secondary School Activities Commission.

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