

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 543

(By Senators Snyder and Stollings)

[Originating in the Committee on Government Organization;
reported March 27, 2013.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-2-4a; and to amend said code by adding thereto a new section, designated §30-1A-2a, all relating to the Legislative Auditor; authorizing the Legislative Auditor to establish and charge fees for the sunrise application review process; reporting requirements; and terminating these fees on July 1, 2015.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto two new sections designated §4-2-4a and §30-1A-2a, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

**ARTICLE 2. LEGISLATIVE AUDITOR; POWERS; FUNCTIONS;
DUTIES; COMPENSATION.**

**§4-2-4a. Authorizing Auditor to establish and charge fees for
the sunrise application review process.**

1 (a) The Legislative Auditor may establish a graduated fee
2 schedule related to the actual cost for the review of a sunrise
3 application, under the provisions of article one-a, chapter
4 thirty of this code.

5 (b) The Legislative Auditor may collect, and the
6 professional or occupational group or organization, an
7 individual or board shall pay, the fee established by the
8 Legislative Auditor for the review of a sunrise application.

9 (c) The Legislative Auditor shall render to the
10 professional or occupational group or organization,
11 individual or board liable for the fee a statement of the fee as
12 soon as practicable after the costs were incurred. It is the
13 duty of the professional or occupational group or

14 organization, an individual or board to promptly pay in the
15 manner that other claims and accounts are paid.

16 (d) The money received by the Legislative Auditor from
17 this source shall be expended only for the purpose of
18 covering the costs associated with the review of a sunrise
19 application, unless otherwise directed by the Legislature.

20 (e) The Legislative Auditor shall report annually by
21 January 1 to the Joint Committee on Government
22 Organization the following:

23 (1) The fees charged for the review of sunrise
24 applications;

25 (2) The professional or occupational group or
26 organization, individual or board liable for the fee;

27 (3) Whether the fees were paid promptly; and

28 (4) Any other information required by the Joint
29 Committee on Government Organization.

30 (f) The provisions of this section terminate on July 1,
31 2015.

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

**ARTICLE 1A. PROCEDURE FOR REGULATION OF
OCCUPATIONS AND PROFESSIONS.**

§30-1A-2a. Fee schedule for sunrise application review process.

1 (a) The Legislative Auditor may collect, and the
2 professional or occupational group or organization, an
3 individual or board shall pay, the fee established by the
4 Legislative Auditor for the review of a sunrise application,
5 established under the provisions of section four-a, article two,
6 chapter four of this code.

7 (b) The provisions of this section terminate on July 1,
8 2015.