

WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2014



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 2004

(BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,
BY REQUEST OF THE EXECUTIVE)

[PASSED MAY 21, 2014; IN EFFECT FROM PASSAGE.]

E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 2004

(BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,
BY REQUEST OF THE EXECUTIVE)

[Passed May 21, 2014; in effect from passage.]

AN ACT to amend and reenact §5B-2-12 of the Code of West Virginia, 1931, as amended, relating to the distribution of funds from the Tourism Promotion Fund; authorizing the transfer of up to \$4,700,000 of moneys from the Tourism Promotion Fund to the Courtesy Patrol Fund; and designating the Secretary of Commerce as the approving authority for the expenditure of certain funds to effectively promote and market the state's parks, state forests, state recreation areas and wildlife recreational resources.

Be it enacted by the Legislature of West Virginia:

That §5B-2-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. WEST VIRGINIA DEVELOPMENT OFFICE.

§5B-2-12. Tourism Promotion Fund created; use of funds.

1 There is hereby continued in the State Treasury the
2 special revenue fund known as the Tourism Promotion Fund
3 created under prior enactment of section nine, article one of
4 this chapter.

5 (a) The Legislature finds that a courtesy patrol program
6 providing assistance to motorists on the state's highways is
7 one of the most beneficial methods to introduce a tourist
8 visiting the state to the state's hospitality and good will. For
9 that reason, up to \$4,700,000 of the moneys deposited in the
10 fund each year shall be transferred to a special revenue
11 account in the State Treasury known as the Courtesy Patrol
12 Fund. Expenditures from the fund shall be used solely to
13 fund the courtesy patrol program providing assistance to
14 motorists on the state's highways. Amounts collected in the
15 fund which are found, from time to time, to exceed funds
16 needed for the purposes set forth in this subdivision may be
17 transferred to other accounts or funds and redesignated for
18 other purposes by appropriation of the Legislature.

19 (b) If there are funds remaining after the transfers
20 required in subdivision (a) of this section, a minimum of five
21 percent of the moneys deposited remaining in the fund each
22 year shall be used solely for direct advertising for West
23 Virginia travel and tourism: *Provided*, That no less than
24 twenty percent of these funds be expended, with the approval
25 of the Secretary of Commerce, to effectively promote and
26 market the state's parks, state forests, state recreation areas
27 and wildlife recreational resources. "Direct advertising"
28 means advertising which is limited to television, radio,
29 mailings, newspaper, magazines, the Internet and outdoor
30 billboards or any combination thereof.

31 (c) The balance of the moneys deposited in the fund shall
32 be used for direct advertising within the state's travel regions
33 as defined by the commission. The funds shall be made

34 available to these districts beginning July 1, 1995, according
35 to legislative rules authorized for promulgation by the
36 Tourism Commission.

37 (d) All advertising expenditures over \$25,000 from the
38 Tourism Promotion Fund require prior approval by recorded
39 vote of the commission. No member of the commission or of
40 any committee created by the commission to evaluate
41 applications for advertising or other grants may participate in
42 the discussion of, or action upon, an application for or an
43 award of any grant in which the member has a direct financial
44 interest.

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

.....
Chairman Senate Committee

.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

.....
President of the Senate

.....
Speaker of the House of Delegates

The within this
the Day of, 2014.

.....
Governor