

Senate Bill No. 572

(By Senators Walters, Unger and Karnes)

[Introduced February 23, 2015; referred to the Committee on Finance.]

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9 A BILL to amend and reenact §5B-2-12 of the Code of West Virginia, 1931, as amended, relating
10 generally to Tourism Promotion Fund; and distribution of moneys.

11 *Be it enacted by the Legislature of West Virginia:*

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

14 **ARTICLE 2. WEST VIRGINIA DEVELOPMENT OFFICE.**

15 **§5B-2-12. Tourism Promotion Fund created; use of funds.**

16 (a) There is hereby continued in the State Treasury the special revenue fund known as the
17 Tourism Promotion Fund created under prior enactment of section nine, article one of this chapter.

18 ~~(a) The Legislature finds that a courtesy patrol program providing assistance to motorists on~~
19 ~~the state's highways is one of the most beneficial methods to introduce a tourist visiting the state to~~
20 ~~the state's hospitality and good will. For that reason, up to \$4,700,000 of the moneys deposited in~~
21 ~~the fund each year shall be transferred to a special revenue account in the State Treasury known as~~
22 ~~the Courtesy Patrol Fund. Expenditures from the fund shall be used solely to fund the courtesy~~

1 ~~patrol program providing assistance to motorists on the state's highways. Amounts collected in the~~
2 ~~fund which are found, from time to time, to exceed funds needed for the purposes set forth in this~~
3 ~~subdivision may be transferred to other accounts or funds and redesignated for other purposes by~~
4 ~~appropriation of the Legislature.~~

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

12 (c) The balance of the moneys deposited in the fund shall be used for direct advertising
13 within the state's travel regions as defined by the commission. The funds shall be made available
14 to these districts beginning July 1, 1995, according to legislative rules authorized for promulgation
15 by the Tourism Commission.

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

NOTE: The purpose of this bill is to change how tourism promotion fund dollars are used.

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