

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 500**

BY SENATOR HALL

[Originating in the Committee on Finance;

reported on February 18, 2016.]



1 A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating  
2 to authorizing the Superintendent of the State Police to hold training classes for  
3 certification to access and use the West Virginia Automated Police Network; authorizing  
4 fee to be charged for the training; creating fund in which the fees are to be deposited; and  
5 specifying what the funds may be used for.

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

1 That §15-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 to read as follows:

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-3. State Police structure; how established; training; special revenue account.**

1 (a) The superintendent shall create, appoint and equip the State Police which shall consist  
2 of the number of troops, districts and detachments required for the proper administration of the  
3 State Police. Each troop, district or detachment shall be composed of the number of officers and  
4 members the superintendent determines are necessary to meet operational needs and are  
5 required for the efficient operation of the State Police. The superintendent shall establish the  
6 general organizational structure of the State Police by interpretive rule in accordance with the  
7 provisions of article three, chapter twenty-nine-a of this code. The superintendent shall provide  
8 adequate facilities for the training of all members of the State Police and shall prescribe basic  
9 training requirements for newly enlisted members. He or she shall also provide advanced or in-  
10 service training, from time to time, for all members of the State Police. The superintendent shall  
11 hold entry-level training classes for other law-enforcement officers in the state without cost to  
12 those officers, except actual expenses for food, lodging and school supplies. The superintendent  
13 may hold advanced levels of training classes for other law-enforcement officers in the state for a  
14 reasonable daily fee per student not to exceed \$100.

15 (b) There is hereby created in the State Treasury a special revenue account, which shall  
16 be an interest bearing account, to be known as the Academy Training and Professional

17 Development Fund. The special revenue account shall consist of training fees, any appropriations  
18 that may be made by the Legislature, income from the investment of moneys held in the special  
19 revenue account and all other sums available for deposit to the special revenue account from any  
20 source, public or private. No expenditures, for purposes of this section, are authorized from  
21 collections except in accordance with the provisions of article three, chapter twelve of this code  
22 and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any  
23 balance remaining in the special revenue account at the end of any state fiscal year does not  
24 revert to the General Revenue Fund but remains in the special revenue account and shall be  
25 used solely in a manner consistent with this article. The superintendent is authorized to expend  
26 funds from the account to offset operational and training costs; for building maintenance and  
27 repair; for purchases and for equipment repair or replacement for the West Virginia State Police  
28 Academy; and to defray necessary expenses incidental to those and other activities associated  
29 with law-enforcement training.

30 (c) There is hereby created in the State Treasury a special revenue account, which shall  
31 ~~be~~ is an interest bearing account, to be known as the State Police 100th Anniversary Fund. The  
32 special revenue account shall consist of merchandise sales, any appropriations that may be made  
33 by the Legislature, income from the investment of moneys held in the special revenue account  
34 and all other sums available for deposit to the special revenue account from any source, public  
35 or private. No expenditures for purposes of this section are authorized from collections except in  
36 accordance with the provisions of article three, chapter twelve of this code and upon fulfillment of  
37 the provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the  
38 special revenue account at the end of any state fiscal year does not revert to the General Revenue  
39 Fund but remains in the special revenue account and shall be used solely in a manner consistent  
40 with this article. The superintendent is authorized to expend funds from the account to offset costs  
41 for the 100th anniversary celebration; for purchasing 100th anniversary commemorative  
42 merchandise, equipment and vehicles; and to defray necessary expenses incidental to those and

43 other activities associated with the 100th anniversary of the West Virginia State Police. This fund  
44 ~~shall expire~~ expires on December 31, 2019 and remaining funds shall be transferred to the  
45 Academy Training and Professional Development Fund.

46 (d) The superintendent may hold training classes for certification to access and use the  
47 West Virginia Automated Police Network (WEAPON) for a reasonable daily fee per student not to  
48 exceed \$100.

49 (e) There is hereby created in the State Treasury a special revenue account, which is an  
50 interest bearing account, to be known as the West Virginia State Police Criminal Justice  
51 Information Services Fund. The special revenue account shall consist of: Fees collected for  
52 training and certification for access to the West Virginia Automated Police Network (WEAPON)  
53 system; any appropriations that may be made by the Legislature; income from the investment of  
54 moneys held in the special revenue account; and all other sums available for deposit to the special  
55 revenue account from any source, public or private. Any balance remaining in the special revenue  
56 account at the end of any state fiscal year does not revert to the General Revenue Fund but  
57 remains in the special revenue account and may be used solely in a manner consistent with this  
58 article. The superintendent is authorized to expend funds from the account for the following  
59 purposes: To offset operational and training costs; for building maintenance and repair; for  
60 purchases and for equipment repair; personal services; software; other associated maintenance  
61 costs; and to defray necessary expenses incidental to those and other activities associated with  
62 the communications section of the West Virginia State Police.