

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4414

BY DELEGATE FAIRCLOTH AND FRICH

[Introduced February 5, 2016; Referred
to the Committee on Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-4-3, relating to the Agency Accountability Act; requiring disclosure of
 3 accounts by members of the Board of Public Works to the Legislature; penalties for failure
 4 to disclose; return of money to the General Fund.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §5-4-3, to read as follows:

ARTICLE 4. BOARD OF PUBLIC WORKS.

§5-4-3. Disclosure of accounts to the Legislature; penalty for failure to disclose; return of money to general revenue account.

1 (a) Each member of the board of public works shall file a disclosure of all accounts under
 2 their control which have unspent moneys which have remained unused for a period of over one
 3 year to the finance committees of the House of Delegates and state Senate. These disclosures
 4 shall be made annually by no later than January 15 of each year. Copies of these disclosures
 5 shall be made available to each member of the House of Delegates and state Senate.

6 (b) Failure to make these disclosures shall make the nondisclosing member subject to a
 7 civil fine of not less than \$1,000 nor more than \$5,000. Should the disclosure of accounts
 8 statement still not be disclosed by February 21 of any year, the Speaker of the House and Senate
 9 President may take such actions as they deem necessary including, but not limited to, seeking
 10 removal of the noncompliant member from office under the provisions of article six, chapter six of
 11 this code.

12 (c) Any unused moneys in these disclosed accounts which are determined to have no
 13 purpose or have not been considered to be committed shall be returned to the general revenue
 14 account of the state by March 1 of each year.

NOTE: The purpose of this bill, to be known as the Agency Accountability Act, is to require disclosure of accounts by members of the board of Public Works to the Legislature; to provide penalties for failure to disclose; and to require return of money to the General Fund.

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