

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4038

BY DELEGATES HOWELL, WARD, SYPOLT, CRISS,
ATKINSON, HARSHBARGER, MARTIN, DEAN AND MAYNARD

[Introduced January 12, 2018; Referred
to the Committee on Government Organization then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5A-1-12, relating to requiring training conducted on behalf of a state agency
 3 to be provided in state-owned facilities; providing exception; and requiring rulemaking by
 4 the Secretary of the Department of Administration.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

§5A-1-12. Training conducted by state agencies to be provided in state-owned facilities; exception; rulemaking.

1 (a) Training conducted on behalf of a state agency for state employees or other individuals
 2 for which the agency is authorized or required to provide training must be provided in state-owned
 3 facilities, unless the cost of providing the training, including, but not limited to, the cost of food
 4 service provided incidental to the training, in a nonstate owned facility is equal to or less than the
 5 cost the agency will incur in conducting the training in the same general locality in a comparable
 6 state-owned facility. Before training may be conducted on nonstate-owned property a comparison
 7 of the costs associated with providing the training on state property and providing it in the same
 8 general locality in a nonstate owned facility must be performed and documented. The comparison
 9 must include, but is not limited to:

- 10 (1) The cost to use each facility;
- 11 (2) Equipment costs associated with the training;
- 12 (3) The cost of food service required incidental to the training; and
- 13 (4) The amounts reasonably anticipated to be reimbursed to state employees for travel to
 14 the training including mileage, lodging, meals and other travel related costs.

15 (b) The Secretary of the Department of Administration shall propose rules for legislative
 16 approval pursuant to §29A-3-1 et seq. of this code to assist agencies in implementing and
 17 complying with this section.

NOTE: The purpose of this bill is to require training conducted on behalf of a state agency be provided in state-owned facilities, unless the cost of providing the training, including, but not limited to, the cost of food service provided incidental to the training, in a nonstate-owned facility is equal to or less than the cost the agency will incur in conducting the training in a state-owned facility.

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