

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2745**

BY DELEGATES FAST, FOSTER, CRISS, D. KELLY, HOTT,

REYNOLDS AND WESTFALL

[By request of the Department of Homeland Security]

[Introduced February 24, 2021; Referred to the

Committee on Veterans' Affairs and Homeland

Security then Finance]

1 A BILL to amend and reenact §5A-3-3a of the Code of West Virginia 1931, as amended; relating  
 2 to exempting the Division of Emergency Management from the Purchasing Division for  
 3 purposes of examination and approving contracts of the Division of Emergency  
 4 Management; authorizing the agency for surplus property to transfer funds generated from  
 5 the sale of vehicles, other equipment, and commodities belonging to the Division of  
 6 Emergency Management to a special revenue account; creating a special revenue  
 7 account entitled the West Virginia Division of Emergency Management surplus transfer  
 8 account; and authorizing the Division of Emergency Management to expend funds in a  
 9 special revenue account for Statewide Interoperable Radio Network equipment,  
 10 maintenance, repair, and construction.

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

## **CHAPTER 5A. DEPARTMENT OF ADMINISTRATION.**

### **ARTICLE 3. PURCHASING DIVISION.**

#### **§5A-3-3a. Additional exemptions from purchasing requirements.**

1 (a) The provisions of §5A-3-3(9) ~~subdivision nine, section three, article three, chapter five-~~  
 2 ~~a do not apply to the Division of Emergency Management construction or repair contracts entered~~  
 3 ~~into by the state for the emergency construction or repair of the Statewide Interoperable Radio~~  
 4 ~~Network created by article five, fourteen, chapter fifteen of this code.~~

5 (b) Notwithstanding any other provision of this code, the agency for surplus property is  
 6 hereby empowered to transfer funds generated from the sale of vehicles, other equipment and  
 7 commodities belonging to the West Virginia Division of Emergency Management to a special  
 8 revenue account within the Division of Emergency Management entitled the West Virginia Division  
 9 of Emergency Management surplus transfer account. Moneys deposited in the fund shall only be  
 10 available for expenditure for the Statewide Interoperable Radio Network equipment, maintenance,  
 11 repair and construction.

NOTE: The purpose of this bill is to exempt the Division of Emergency Management from the Purchasing Division for purposes of examination and approving contracts of the Division of Emergency Management; authorize the agency for surplus property to transfer funds generated from the sale of vehicles, other equipment, and commodities belonging to the Division of Emergency Management to a special revenue account; create a special revenue account entitled the West Virginia Division of Emergency Management surplus transfer account; and authorize the Division of Emergency Management to expend funds in a special revenue account for Statewide Interoperable Radio Network equipment, maintenance, repair, and construction.

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