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Title 112
procedures / rules

~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~
State Treasurer's Office

~~Chapter 12-2~~
Series I

~~(1979-Amendments 1981; Sections 1.03 and 3.09)~~

Subject: Procedure for Deposit of Funds in the Treasurer's
Office by State Agencies.

Section 1. General

1.01. Scope - These rules implement the provisions of
section two, article two, chapter twelve of the code of
West Virginia, 1931, as amended.

1.02. Authority - These rules are issued under the
authority of the above-mentioned code section, which provides,
among other things, that the state treasurer shall promulgate
rules and regulations governing the procedure for deposit of
state funds collected by officials and employees on behalf
of the state of West Virginia.

1.03. Purpose - The general purpose of these rules is
to establish a system whereby moneys received by state
agencies, officials and employees on behalf of the state of
West Virginia will be 1) deposited in the state Treasurer's office
within twenty-four hours, 2) immediately and properly accounted
for, and 3) immediately available for investment by the
state rather than lying idle in cash or demand deposits.
Such general purpose is in keeping with the legislative
findings and purpose set forth in section one, article one,

18 Filing Date - June 5, 1981

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chapter twelve of the code, wherein the state board of investments and the treasurer are authorized to develop and maintain modern systems, consistent with sound financial practices, for the collection, disbursement, management and investment of public moneys. These rules also are specifically directed toward implementing the legislature's intent in section two, article one, chapter twelve of the code wherein state officers and employees are prohibited from making or causing deposits of state funds to be made in any bank not designated as a depository by the state board of investments.

Section 1.04 Effective Date - These regulations are promulgated on the 5th day of June 1981 and become effective on the 8th day of July 1981.

Section 2. Definitions

2.01. Definitions - For purposes of these rules, unless a different meaning clearly is required by the context:

"Agency" means and includes any department, board, commission, division, branch office or other separate unit of a state agency, and any officer or employee thereof, who or which collects moneys due the state;

"Board" means the West Virginia state board of investments;

"Check" includes a bank draft, bank wire, money order, cashier's check, check written on the payor's checking account, and any other non-cash payment of funds due the state;

"Code" means the 1931 code of West Virginia, as amended;

"Receipt account" means an account in which are deposited moneys belonging to or due the state of West Virginia or any official, department, board, commission, or agency, thereof; and

"Treasurer" means the treasurer of the state of West Virginia.

Section 3. Procedures for Deposits

3.01. Receipts Depositories - State depositories for receipts accounts shall be established by the board pursuant to the provisions of section two, article one, chapter twelve of the code and rules promulgated thereunder. A collecting agency shall deposit its collections in a depository designated to serve as a depository for that agency's receipts accounts.

3.02. Methods for Depositing Funds Due the State -

(a) Checks - An agency may deposit its check collections by any one or more of the following methods:

(1) The agency's own employees may take the checks directly to the designated receipts depository;

(2) The agency may use the services of a courier or armored car service engaged by the agency to pick up deposits and deliver them to the designated depository;

(3) The agency may use the services of a courier engaged by the treasurer to pick up deposits from such agency and deliver them to such designated depository; or

(4) The agency may use any other method approved in writing by the treasurer.

(b) Cash - An agency may deposit its cash collections by any one or more of the methods authorized for deposit of checks. In addition, an agency may use the safekeeping services of a night depository at any bank of the agency's choice. If such night depository service is used, the agency shall on the next business day convert such cash into a cashier's check, which shall be deposited in accordance with these rules by one of the methods authorized for deposit of checks.

3.03. Bank Deposit Forms - The collecting agency shall make its deposits using a five-part "Bank Deposit Form T-O," the form of which shall be prescribed by the treasurer substantially as set forth on page 1 of the appendix to these rules. The first three digits of the deposit ticket number on said form represent the agency's location number. The last three digits are the deposit ticket number. When making a deposit, the agency shall complete the form items entitled "cash," "checks" and the first "total" item. The form shall be signed by an officer of the depository. The

first copy of the form shall be retained by the depository. The depository shall transmit the second and third copies to the treasurer, who shall in turn transmit said third copy to the auditor. The fourth copy shall be retained by the agency unit which made the deposit, and the fifth copy shall be transmitted to the agency's main office.

3.04. Treasurer's Office Deposit Forms - Immediately upon making a deposit, the agency shall complete and transmit to the treasurer a five-part "Treasurer's Office Deposit Form T-1," the form of which shall be prescribed by the treasurer substantially as set forth on page 2 of the appendix to these rules. The agency shall note on said form the number of the Bank Deposit Form T-0 to which said completed Treasurer's Office Deposit Form T-1 relates. Upon receipt thereof, the treasurer shall retain the first copy of the Treasurer's Office Deposit Form T-1, transmit the second copy to the auditor, the third copy to the department of finance and administration, the fourth copy to the agency unit which made the deposit and the fifth copy to the agency's main office.

3.05. Telephone Notification for Large Deposits - Whenever an agency makes a deposit in excess of one hundred thousand dollars, the agency shall notify the treasurer's office of such deposit by telephone on the same day.

3.06. Redeposit of State Checks - When an agency redeposits state checks, such deposits may be made either at the designated depository or directly to the treasurer's office. If made at the designated depository, the procedure shall be the same as with any other deposit. When made directly to the treasurer's office, the agency shall complete and transmit Treasurer's Office Deposit Form T-1 to the treasurer's office together with the checks being redeposited. No other checks should be entered on said form or commingled with the redeposit of state checks.

3.07. Endorsement of Deposited Checks - Except for redeposits of state checks, all checks received and deposited by agencies shall be endorsed as in the following example:

STATE OF WEST VIRGINIA
(AGENCY'S NAME)
FOR DEPOSIT ONLY
PAY TO THE ORDER OF
ANY BANK OR BANKER
NO PROTEST

When a state check is redeposited, the check shall be endorsed as in the following example:

JOHN DOE
ABSENCE OF ENDORSEMENT
GUARANTEED. REDEPOSIT TO
ACCOUNT NO. 1600-00-009-01
(REGULAR ENDORSEMENT STAMP
AS SHOWN ABOVE)

3.08. Adjustments and Returned Checks - Whenever debit or credit tickets for adjustments to a previous deposit for returned checks are received by an agency from a depository, the agency shall use the regular Bank Deposit Form T-0 to record the totals of such debits or credits. The total of debits or credits which relate to adjustments to previous deposits shall be entered in the "adjustments" item on the form. Negative adjustments shall be denoted by the use of brackets. Any debits for returned checks shall be entered in the "returned check" item. These entries shall be added and totaled on the bank deposit form. When the bank deposit form is used for the entry of adjustments or returned checks it shall be signed by an authorized officer or employee of the agency. In the case of debit tickets, the agency, in addition to completing Bank Deposit Form T-0, shall also complete an "Adjustment and Returned Check Form T-2" which shall be prescribed by the treasurer substantially in the form set forth on page 3 of the appendix to these rules. Any debit tickets shall be attached to the Adjustment and Returned Check Form T-2 and shall be transmitted to the treasurer's office with the completed Bank Deposit Form T-0. In the case of credit tickets, the agency, in addition to completing Bank Deposit Form T-0, shall also complete Treasurer's Office Deposit Form T-1. The credit tickets shall be attached to Treasurer's Office Deposit Form T-1 and transmitted to the treasurer's office with

the completed Bank Deposit Form T-0. In no case shall regular deposits of receipts be commingled on one bank deposit form with adjustments or returned check items.

3.09. Frequency of Deposits - The collecting agency shall deposit all receipts daily in the designated depository. No agency may make more than two deposits per day unless prior approval to exceed that number is obtained from the treasurer.

3.10. Clearing Accounts - The requirements of the preceding section shall apply to every agency, notwithstanding that at the time of making the deposit the agency may not know the exact receipts account for preparation of Treasurer's Office Deposit Form T-1. In the latter event, the agency shall obtain approval from the auditor to use a clearing account, and such agency shall make its deposits in such clearing account in the designated depository. When the agency thereafter determines the exact receipts accounts applicable to the funds deposited in the clearing account, it shall prepare a "Deposit Collection Transfer Form T-3" and transfer the funds from the clearing account to the appropriate receipts account. All copies of said form shall promptly be sent to the treasurer. The "Deposit Collection Transfer Form T-3" shall be prescribed by the treasurer substantially in the form set forth on page 4 of the appendix to these rules.

3.11. Applicability of These Rules - It is presumed that all moneys collected or held by state agencies in the form of cash, undeposited checks, bank accounts, or in any other form, are public moneys subject to the requirements of section two, article two, chapter twelve of the code and of these rules. In the event any agency believes that all or part of these rules should not apply to its operations and collections, or that all or part of the moneys held by it should not be governed by these rules, it shall submit to the treasurer a written statement of the reasons for such belief. The agency shall also furnish therewith a itemization and accounting of the moneys in question currently held by it, with the name of the bank, bank account number, and name and purpose of the account.

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