

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

FILED

SEP 25 1 23 PM '87

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

orm #4

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: WV State Treasurer TITLE NUMBER: 112CSR3

CITE AUTHORITY W.Va. Code 12-2-2

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11³CSR8

TITLE OF RULE BEING AMENDED: Establishment of Imprest Funds

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

John D. Perdue

Authorized Signature

TITLE 112
LEGISLATIVE RULE
STATE TREASURER'S OFFICE

SERIES 3
ESTABLISHMENT OF IMPREST FUNDS

FILED
SEP 25 1 23 PM '97
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§112-3-1. General.

1.1. Scope. -- This legislative rule implements the provisions of W.Va. Code § 12-2-2 which requires the Treasurer to establish and audit imprest funds. The purpose of this rule is to carry out the legislative intent so that the Treasurer may establish, control, and audit imprest funds.

1.2. Authority. -- W.Va. Code §12-2-2.

1.3. Filing Date. --

1.4. Effective Date. --

1.5. Repeal of former rule -- This legislative rule repeals and replaces W.Va. 112CSR3 "Establishment of Imprest Funds" filed March 10, 1984 and effective March 10, 1984.

§112-3-2. Definitions.

For purposes of this rule, unless a different meaning is clearly required by the context:

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

2.2. "Imprest Fund" means a cash change fund in a fixed amount maintained at an agency. The fund may also be used for the purpose of cashing checks for students at state colleges and universities in West Virginia; and

2.3. "Treasurer" means the West Virginia State Treasurer or his or her designee from the Treasurer's office.

112-3-3. Establishment Of Imprest Funds.

3.1. Any state agency requiring the establishment of an imprest fund shall make application to the Treasurer on the forms prescribed by him or her. The forms shall indicate the name, purpose, desired balance of the imprest fund, physical location, and the person responsible for the imprest fund as well as the agency name. Upon being satisfied that the application is complete and that the need for the imprest fund is valid, the Treasurer shall notify the agency of the approval for establishment of the imprest fund. The Treasurer shall also notify the State Auditor and Legislative Auditor by sending them copies of a quarterly report listing all funds

approved.

3.2. Any college or university may get approval from Treasurer to obtain an imprest fund with check-cashing services at that institution and they may charge fees for the service for each check cashed and for each check returned for insufficient funds. Each institution shall designate certain employees who are to provide the service and have charge of the imprest funds.

3.3. The fees received for the services shall be maintained in a separate imprest cash fund and an itemized account of the receipts shall be maintained. Any check determined by the Treasurer or his or her designee to be uncollectible shall be charged against the fund. If the amount of cash in the imprest fund (after charges for uncollectible checks) exceeds the amount approved by the Treasurer at the conclusion of any audit, then that institution shall deposit the excess to the account from which the imprest fund was established.

3.4. Any shortages in the imprest fund due to human error may be corrected by charging them against the fees received for the service.

§112-3-4. Increasing Or Decreasing The Balance.

Whenever an agency determines that there is a need to increase or decrease the balance of an imprest fund, the agency shall make application to the Treasurer on the forms prescribed by him or her. The forms shall indicate the agency name, name of the imprest fund, current authorized balance, requested balance to be authorized, the reasons for the increase or decrease, and the amount of increase or decrease. The Treasurer shall notify the State Auditor and Legislative Auditor by sending them copies of the approved form.

§112-3-5. Change Of Person Responsible For The Imprest Fund.

Whenever an agency has a change in personnel responsible for an imprest fund, the agency shall notify the Treasurer of the change on a form prescribed by him or her. The form shall indicate the agency's name and physical location, the name and number of the imprest fund, the balance of the imprest fund on the date of the change in personnel, the signatures of the person being relieved of responsibility and the person assuming the responsibility for the imprest fund, along with the dates the signatures were affixed. The Treasurer shall notify the Legislative Auditor by sending him or her a copy of the approved form. An audit shall be performed on the date the imprest fund's responsibility is assumed by a new person.

§112-3-6. Audit And Recordkeeping.

The Treasurer or his or her designee shall annually audit all imprest funds. The Treasurer's discovery of any overage in an imprest fund shall be deposited to the account from which the fund was established. The Treasurer's discovery of any shortages in an imprest fund due to human error may be corrected by replenishing the imprest fund or decreasing the imprest fund, through the procedures outlined in Section 3 and 4 of this rule, to the approved amount. The Treasurer shall send a copy of the audits to the Legislative Auditor. The Treasurer or his or her designee shall prepare a list of all imprest funds showing the location and amount of each imprest fund as of the fiscal years end, and the Treasurer shall retain the list of imprest

funds as a permanent record of the Treasurer's Office until such time as the Legislative Auditor completes an audit of the imprest funds of all agencies and institutions involved.



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

State Capitol - Room MB-49
Charleston, West Virginia 25305
(304) 347-4840

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SEP 22 10 16 AM '97

FILED

Joseph A. Altizer, Associate Counsel
Rita Pauley, Associate Counsel
Audrey R. Ross, Admin. Assistant

Senator: Mike Ross, Co-Chairman
Delegate: Mark Hunt, Co-Chairman
Counsel: Debra A. Graham

September 14, 1997

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Anoop K. Bhasin
State Treasurer's Office
State Capitol Complex
Building 1, Room E-122
Charleston, WV 25303

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: *Establishment of Imprest Funds (112CSR3)*

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
 - (a) as originally filed _____
 - (b) as modified by the agency X
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. _____

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.



FILED

AUG 22 1 58 PM '97

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

State Capitol - Room MB-49
Charleston, West Virginia 25305
(304) 347-4840

Senator: Mike Ross, Co-Chairman
Delegate: Mark Hunt, Co-Chairman
Counsel: Debra A. Graham

August 22, 1997

Joseph A. Altizer, Associate Counsel
Rita Pauley, Associate Counsel
Audrey R. Ross, Admin. Assistant

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Anoop K. Bhasin
State Treasurer's Office
State Capitol Complex
Building I, Room E-122
Charleston, WV 25303

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Establishment of Imprest Funds (112CSR3)

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
 - (a) as originally filed
 - (b) as modified by the agency
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. _____

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.