

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

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Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: West Virginia Enterprise Resource Planning Board TITLE NUMBER: 213

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: "Enterprise Resource Planning System User Fee"

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) Senate Bill No. 199

SECTION 64-9-5, PASSED ON March 14, 2015

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE

FOLLOWING DATE: April 14, 2015



Authorized Signature

**TITLE 213  
LEGISLATIVE RULE  
WEST VIRGINIA ENTERPRISE RESOURCE PLANNING BOARD  
SERIES 1  
ENTERPRISE RESOURCE PLANNING SYSTEM USER FEE**

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**§ 213-1-1. General.**

1.1 Scope. – This rule authorizes the West Virginia Enterprise Resource Planning Board to charge a user fee for the operation and maintenance of the Enterprise Resource Planning (ERP) System.

1.2 Authority. – W. Va. Code §12-6D-2(7).

1.3 Filing Date. – April 14, 2015

1.4 Effective Date. – April 14, 2015

1.5 W. Va. Code §12-6D-2(7) authorizes the West Virginia Enterprise Resource Planning Board to establish a user fee for the maintenance of the Enterprise Resource Planning System established by the provisions of W. Va. Code §12-6D-1 *et seq.* and developed, implemented and managed by the Board.

**§213-1-2. Definitions.**

2.1. "Board" means the West Virginia Enterprise Resource Planning Board created by W. Va. Code § 12-6D-1.

2.2. "Enterprise Resource Planning System" ("ERP System") means the comprehensive group of hardware, software and applications which collectively provide for the integration of data sources into a unified system that includes the state's financial management, procurement, personnel, payroll, budget development and other administrative business processes.

2.3. "Enterprise Resource Planning System Fund" ("Fund") means the fund created in the state treasury as authorized by W. Va. Code §12-6D-5.

**§213-1-3. User Fee Assessment.**

3.1. The Board may assess a user fee to be imposed upon every spending unit of state government utilizing the ERP System, based upon the number of Full Time Equivalent (FTE) positions (filled and unfilled) assigned to that spending unit on July 1 of each year.

3.2. The amount of the user fee shall be established on an annual basis by the Board to determine whether any changes are required to maintain a sufficient balance in the Enterprise Resource Planning Fund during that fiscal year to meet the operational and maintenance requirements of the ERP System.

3.3. Any changes to the user fee shall be established by the Board in sufficient time to be included in the executive budget for the ensuing fiscal year.

3.4. The Board shall maintain all necessary documentation, including any cost or other financial schedules, that were used in determining the amount of the user fee.

**§213-1-4. Disposition of Fees.**

4.1. All fees collected shall be deposited in the state treasury and credited to the "Enterprise Resource Planning System Fund" as authorized by W. Va. Code §12-6D-5 to be administered by the Board.

4.2. Expenditures from the Fund may be made for the purposes set forth in Article 6D, Chapter 12 in accordance with appropriations by the Legislature.