



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Treasurer TITLE-SERIES: 112-08
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 112-08 Procedures for Processing Payments from the State Treasury

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: §12-3-1

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

The legislative rule implements the provisions of §12-3-1 which requires the State Treasurer's Office to develop procedures for processing payments from the State Treasury.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

The rule was previously updated in 2017 and the only change is to update the sunset provision.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

§12-3-1 requires the State Treasurer to propose rules for legislative approval.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

None

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

None

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2021 Increase/Decrease (use "-")	2022 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

N/A

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

James G Fuerhoff -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 112
LEGISLATIVE RULE
STATE TREASURER'S OFFICE

SERIES 8
PROCEDURES FOR PROCESSING PAYMENTS FROM THE STATE TREASURY

§112-8-1. General.

1.1. Scope. -- This rule implements the provisions of W. Va. Code §12-3-1 et seq., which require the Treasurer's Office to develop procedures for processing payments from the State Treasury.

1.2. Authority. – W. Va. Code §12-3-1.

1.3. Filing Date. – ~~May 1, 2017.~~

1.4. Effective Date. – ~~June 1, 2017.~~

1.5. Sunset Provision. – This rule shall terminate and have no further force or effect on ~~June 1, 2022~~ August 1, 2027.

§112-8-2. Definitions.

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

2.1. "Auditor" means the State Auditor of West Virginia.

2.2. "Bank" means the disbursement bank selected by the Treasurer to process all checks issued by the State of West Virginia.

2.3. "Check" means a warrant issued by the Auditor and endorsed by the Treasurer directing the Treasurer's disbursement bank to pay money as instructed.

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

2.5. "Warrant" means an authorization by the State Auditor authorizing the Treasurer to pay an obligation of the State.

§112-8-3. Procedures for Processing State Warrants and Checks.

3.1. Check Processing by the Treasurer - Upon receipt by the Treasurer of a warrant issued by the Auditor, the Treasurer shall ascertain whether there are sufficient funds in the treasury to pay that warrant. If the Treasurer finds there are sufficient funds in the treasury to pay the warrant, he or she shall endorse the warrant. If this requirement is met, the Treasurer shall endorse the warrant directing the Treasurer's disbursement bank to pay the money as instructed. The Auditor shall provide the

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Treasurer a daily listing of all warrants issued. This listing shall be in paper form, electronic media, or any other form as determined by the Treasurer.

3.2. Check Processing by the Disbursement Bank - The disbursement bank shall process all checks issued by the Treasurer in accordance with the requirements of the contract for the disbursement account. The disbursement bank shall provide the Treasurer a daily listing of all checks paid. Also, the disbursement bank shall provide the Treasurer the total dollar amount of checks paid by the bank each day. Each day, the Treasurer shall transfer to the disbursement account from his or her receipt account, an amount sufficient to cover all checks paid.

3.3. Reconciliation of the Disbursement Bank Account - The disbursement bank shall reconcile the disbursement account in accordance with the requirements of the disbursement account contract.