

Taxes And Fees

Tax And Fee Increases

➤ **Jenkins Has Voted For The Following Higher Taxes And Fees While In The West Virginia Legislature**

Bill Number	Date Of Senate Vote	Jenkins Voted	Vote Count	Language From Legislative Wrap-Up	Notes
HB 2794	March 5, 2003	Yea	33-1	“House Bill 2794 increases the service fee for worthless checks. A person who passes a worthless check is required to pay a fee of \$25 instead of \$15.”(Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, March 17, 2003)	
SB 105	March 7, 2003	Yea	20-14	“The revenue sparked by the passage of Senate Bill 105, an increase in the tobacco tax from 17 cents to 55 cents, will provide \$60 million of new revenue, plus a three to one match in Federal moneys totaling approximately \$240 million for expenses associated with the Medicaid program.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, March 17, 2003)	
HB 4318	March 12, 2004	Yea	28-5, 1 Absent	“House Bill 4318 imposes personal income tax on funds withdrawn from a prepaid college tuition contract or other college savings plan. Any money will be added to federal adjusted gross income for amounts previously deducted for money deposited into a prepaid tuition contract or other college savings plans managed by the Board of Trustees of the College Prepaid Tuition and Savings Program and withdrawn from a prepaid tuition contract or other College Savings Plan, that was used for purposes other than those expenses authorized by Internal Revenue Code. The conditions in this bill are effective for taxable years beginning after December 31, 2003.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2004)	
HB 4143	March 10, 2004	Yea	34-0	“House Bill 4143 establishes a West Virginia Center for Nursing to organize a statewide strategy in the state. This center will promote the recruitment and retention of nurses. Also under this legislation, licensed registered and practical nurses will pay an annual licensure renewal fee of \$10 which	

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				will be used to subsidize the center, provide loan repayment and fund scholarship programs.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2004)	
HB 4521	March 13, 2004	Yea	23-10, 1 Absent	“Bill 4521 increases the current annual registration fee for underground storage tanks and requires the Department of Environmental Protection (DEP) to annually report on the status of the fund and the underground storage tank program. Past law stated that registration fees for underground storage tanks may not exceed \$25. This bill raises the maximum to \$65 and also authorizes the Secretary of the DEP to generate emergency rules implementing the increase of registration fees. The rule states that the maximum fee will be effective for the fiscal year ending June 30, 2004.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2004)	
SB 675	March 3, 2004	Yea	33-0, 1 Absent	“Senate Bill 675 raises the outdoor advertising licensing fee from \$100 to \$125 for up to 20 annual permits and \$1,000 for 21 or more permits. The application fee for a permit is \$1. This bill will raise the fee to \$20, except for changeable message signs which are \$500. A \$75 inspection fee was added for proposed locations along interstates and federal aid primary highways. The fee for other locations along a public highway is \$25. The permit renewal fee may not exceed \$25, except for the renewal fee for changeable signs which may not exceed \$60. This bill also will charge a \$5 fee for each label or marker issued that identifies the permit number of the user.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2004)	
HB 2296	April 8, 2005	Yea	34-0	“House Bill 2296 increases sheriff’s office processing fees from \$20 to \$25. The West Virginia Deputy Sheriff Retirement Fund would receive \$2 from the increase with the remaining \$3 going into the corresponding county commission’s general revenue fund.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2005)	
HB 3354	April 9,	Yea	31-3	“House Bill 3354 relates to the authority	

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	2005			of the Secretary of the Department of Environmental Protection's Office of Oil and Gas to assess a permit fee for well work permits, deeps wells, coalbed methane wells and reclamation funds fees. The bill increases permit fees for well work on shallow wells from \$250 to \$400, increases permit fees for deep wells from \$250 to \$650 and limits future fees that can be assessed for stormwater permits to \$100. In addition, the bill increases the reclamation fees assessed on each well permit from \$100 to \$150, maintains the permit fees for coalbed methane wells at \$250 and deletes the requirement to include proposed date for completion of drilling and proposed date for stimulation of wells with a well plat when an application is filed." (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2005)	
HB 2492	April 9, 2005	Yea	34-0	"House Bill 2492 creates a funding mechanism for teen court programs. The bill gives authority to all West Virginia magistrate, circuit and municipal courts to collect a maximum \$5 fee from all persons found guilty of violating state or local motor vehicle codes which occur in the county. If the county chooses to administer the fines and participate in a teen court program, the clerk of the particular court would collect the fines and deposit them in a special fund designated for the administration of a teen court program." (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2005)	
SB194	April 9, 2005	Yea	34-0	"Senate Bill 194 will impose a \$20 fee on real estate title transfers and a \$20 fee for the transfer of a certificate of title for a mobile home. Both of these fees will be deposited into the West Virginia Affordable Housing Trust Fund, and up to 10 percent of the transfer fees may be expended to defray administrative and operating costs and expenses that may be generated by the Fund. The bill also will reduce the number of members appointed to represent nonprofit organizations on the Fund's Board of Directors; remove the member who is chosen from the private directors; add a member from a nonprofit organization; and, add additional members to	

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				represent real estate and manufactured housing groups.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2005)	
HB2368	April 8, 2005	Yea	32-2	“House Bill 2368 increases the rabies vaccination fee from \$4 to \$8 if the vaccination is performed at a clinic sponsored by a county commission.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2005)	
HB4210	March 9, 2006	Yea	32-2	“House Bill 4210 authorizes the Department of Commerce to promulgate legislative rules. The proposed rule amends the existing rule governing cultivating, harvesting or dealing in ginseng roots for export to conform to the requirements of House Bill 2663 passed in 2005. The proposed rule sets out the duties of collectors, dealers and growers and establishes fees of \$10 annually for a ginseng grower’s permit, \$10 annually for a ginseng dealer’s permit, and \$20 annually for a late renewal fee for either growers or dealers. There is also a \$.50 per pound of dry root fee for certification of ginseng root” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2006)	
HB3295	March 10, 2006	Yea	34-0	“House Bill 3295 (delinquent taxes) increases certain fees charged to collect delinquent taxes. To cover the costs of preparing, publishing and posting the delinquent lists, a charge of \$20 as opposed to \$10 will be added to the taxes and interest already due on each listed item. For the second delinquent list for real estate to be posted, a charge of \$25 will be added to the charges to cover the cost of preparing and publishing. To cover costs of mailing notices to landowners, a charge of \$10, from \$5, per addressee will be added to the charges already due. For the publication of the list of all sales and certifications is an increase from \$7.50 to \$15.00” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2006)	
HB4018	March 10, 2006	Yea	34-0	“House Bill 4018 (Crime, Delinquency & Corrections) requires the subcommittee of the Governor’s Committee on Crime, Delinquency and Correction to meet	

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				quarterly as opposed to meeting at the call of the presiding officers or majority of the members. The bill also raises the monthly fee collected from individuals on probation from \$30 to \$35 in addition to other fees, costs and fines. It also increases costs taxed against a convicted defendant from \$3 to \$10. The fees collected are placed in the West Virginia Community Corrections Fund” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, May 2006)	
SB415	March 7, 2007	Yea	33-0, 1 Absent	“Senate Bill 415 (criminal record checks) authorizes magistrate courts to assess a fee of \$25 for criminal record checks. This revenue will be put into the general fund in the State Treasury. Federal, state, county or municipal officials; court-appointed attorneys; prosecuting attorneys; and, persons utilizing court provided public access terminals are exempt from this fee.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	
SB335	Feb. 20, 2007	Yea	25-8, 1 Absent	“Senate Bill 335 (tax fees) imposes a fee of \$20 on the transfer of real property in addition to the excise tax on the sale of factory-built homes by licensed dealers and the consumers sales and service tax. This revenue will provide funding for the West Virginia Affordable Housing Trust Fund. This bill also authorizes expenditures for administrative and operating expenses.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	
SB707	March 10, 2007	Yea	33-0, 1 Absent	“Senate Bill 707 (processing fees) increases the jail processing fee from \$20 to \$30. This fee must now be placed into the Regional Jail and Correctional Facility Authority’s operating budget and must be paid prior to the offender’s release. It is refunded when a person is not convicted of the offense and provides documentation from the court showing that all charges were dismissed. It also moves the section of code establishing the fee from the chapter on counties to the article on regional jails.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	
SB178	March 10, 2007	Yea	33-0, 1 Absent	“Senate Bill 178 (hotel occupancy tax) authorizes that the hotel occupancy tax	

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				can be raised to no more than six percent. First, however, a vote must be taken in a public hearing in order to authorize the increase. The monies collected from this tax will be deposited in the General Revenue Fund at the respective county commissions. The bill also expands permissible expenditures of the tax to include incentives for passenger air service within the state and emergency services in certain areas.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	
HB2955	March 10, 2007	Yea	30-3, 1 Absent	“House Bill 2955 (nickel gas tax) continues the flat-rate excise tax on gasoline at \$0.205 per gallon until August 1, 2013. This tax was set to go down to \$0.155 on August 1, 2007. The bill also requires the Commissioner of Highways to give a monthly report, starting July 2007, to the Joint Committee on Government and Finance about the amount of taxes paid into the state road fund, any matching federal funds and all expenditures from the road fund.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	
SB414	March 6, 2007	Yea	33-0, 1 Absent	“Senate Bill 414 (VETOED & OVERRIDDEN) sets new, flat fees for services performed by circuit court clerks. This will raise certain court costs from \$10 to \$25. There will be a \$50 fee charged to anyone who deposits court ordered funds into a federally insured interest-bearing account. This administrative fee will be paid to the court and then deposited into the general county fund.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 16, 2007)	<i>The March 6, 2007 vote cited in this table is for final passage of the bill prior to the Governor’s veto. The Senate overrode the veto on March 18, 2007 however, the Senate journal for March 18, 2007 is not online so it is unclear how Jenkins voted on the override.</i>
HB4337	March 7, 2008	Yea	28-5, 1 Absent	“House Bill 4337 (Board of Barbers and Cosmetologists) increases the Board of Barbers and Cosmetologists’ fees for 1	

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				year commencing January 1, 2009. Specifically, the bill provides that: a licensing examination fee will be \$50.00; a license issued by the board, a fee of \$35.00; a reciprocal license fee issued to a person educated or licensed in another state to be \$100.00; and, a student permit fee, \$25.00.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 14, 2008)	
SB622	March 8, 2008	Yea	30-3, 1 Absent	“Senate Bill 622 (Outdoor Heritage Conservation) establishes the Outdoor Heritage Conservation Fund to conserve unique lands for wildlife habitat, natural areas, hunting, fishing and recreation. The Board of Trustees for the fund will consist of the Director of Natural Resources, the Director of Forestry and nine other members, each with specific qualifications, to be appointed by the Governor with the advice and consent of the Senate. Half of the funds received are to be used by DNR to acquire real property for conservation purposes; the remaining funds are to be used for grants or debt service. The board has power to sue, contract, acquire and transfer interests in real estate, and to issue revenue bonds through the Economic Development Authority. The bill increases recording fees from \$10 to \$20, with \$11 being retained by the county clerk for operation of his or her office. The bill also provides that the remaining \$9 of the collected monies be divided equally between the Conservation Fund and the previously established Farmland Protection Fund.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 14, 2008)	
SB471	March 13, 2010	Yea	27-6, 1 Absent	“Senate Bill 471 (Circuit Clerk Copy Charge) allows circuit clerks to raise the charge for transcripts, copies or other paper made by the clerk from 50 cents per page to \$1.00 per page.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 7, 2010)	
SB232	March 13, 2010	Yea	33-0, 1 Absent	“Senate Bill 232 (County Clerk & State Auditor Duties) transfers some of the duties of the county clerk relating to delinquent land sales to the State Auditor. Among other things, the bill establishes or increases various fees that may be charged for copies, recording	

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				documents, issuing certificates, and other similar services to be provided by the Auditor or the county clerk, depending upon who is performing the services.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 7, 2010)	
SB608	March 12, 2011	Yea	26-7, 1 Absent	“Senate Bill 608 (Vetoed - DMV) increases fees for services and documents issued by the Division of Motor Vehicles. The increase in fees was based upon the average of comparable fees assessed by the five states adjacent to West Virginia. The bill also reduces the number of attempts at the written or road skills tests per fee paid for instruction permits, Level One Graduated Driver’s License (GDL1) and Level Two Graduated Driver’s License (GDL2) to one attempt per fee paid. The bill allows for a designation on drivers licenses issued for a person who is an honorably discharged veteran.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 27, 2011)	Vetoed by Governor 3/23/11
HB2986	March 12, 2011	Yea	33-0, 1 Absent	“House Bill 2986 (burning permit) allows for certain permitted fires without a burning permit unless there is a burning ban in effect. It also creates a permit fee of \$125 per burning site, valid for the fire season during which it is issued, for authorizing fires that are otherwise prohibited during fire season. Agricultural entities are exempt from paying the permit fee, but must still obtain a permit. The fee will be deposited into the Division of Forestry Fund, and will be used to cover the costs of administering the burning permits.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 27, 2011)	
SB458	March 9, 2011	Yea	31-0, 3 Absent	“Senate Bill 458 (Logging Sediment Control Act) will update the Logging Sediment Control Act including, but not limited to establishing renewal of licensure and certification on a biennial basis, requiring the Division of Forestry to report certain information to the Tax Commissioner on a monthly basis, and increasing licensure and certification fees.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 27, 2011)	

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SB428	March 18, 2011	Yea	30-0, 4 Absent	“Senate Bill 428 (Court filing fees) increases the filing fee for civil cases from \$145 to \$155 and increases the distribution from the filing fee to the special revenue account to pay for legal services for domestic violence victims from \$10 to \$20. Additionally, the bill would add appeals from family court to types of cases required to pay a civil case filing fee. The bill also creates a new Supreme Court of Appeals filing fee for civil appeals, including appeals from Family Courts, but not including appeals in workers’ compensations cases, and actions in the Supreme Court’s original jurisdiction. The new fee would be \$100”(Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 27, 2011)	
HB4338	March 7, 2012	Yea	33-0, 1 Absent	“House Bill 4338 (Value Amount of Abandoned Motor Vehicle) raises the maximum value amount of an abandoned motor vehicle from \$2,500 to \$7,500 before someone hired by an enforcement agency may sell that vehicle at a private sale or auction. The bill requires an additional \$10 fee be paid to the Division of Motor Vehicles for titling an abandoned vehicle.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 24, 2012)	
SB579	March 9, 2012	Yea	34-0	“Senate Bill 579 (Mine Clean Up Tax Hike) raises the tax on processed coal from 14 cents to nearly 28 cents per ton. It would dedicate 15 cents of that rate toward treating water on these abandoned sites. Officials estimate the hike would increase the tax’s annual revenues from \$19 million to \$36 million. The water reclamation trust fund would get \$20 million of that per year.” (Source: Wrap-Up: The Official Newsletter of the West Virginia Legislature, April 24, 2012)	