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SENATE BILL NO. 808

Offered January 8, 2003

Prefiled January 6, 2003

A BILL to amend and reenact §§ 29.1-330, 29.1-332 and 29.1-333 of the Code of Virginia, relating to voluntary contributions to Hunters For The Hungry.

Patrons—Stolle, Norment and Trumbo

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-330, 29.1-332 and 29.1-333 of the Code of Virginia are amended and reenacted as follows:

§ 29.1-330. Delivery to clerk or agent; return of unused annually expiring materials and unsold licenses; voluntary contributions.

A. The Director shall send to each clerk or agent before the first day of the license year as many annually expiring licensing materials and licenses as he may deem necessary and shall hold each accountable for the amount and number sent. Clerks and agents shall, within ten days after the end of the license year, return to the Director all unused annually expiring licensing materials, unsold licenses and the stubs of licenses sold. All annually expiring licensing materials and serially numbered licenses shall be accounted for by the Director. For licensing conducted by telephone or electronic media, the Director shall determine what additional equipment and nonannually expiring licensing materials are required by the clerks or agents, and he shall make available such equipment and materials to agents according to a schedule he deems appropriate.

B. Any form used in applying for a hunting permit or license issued under this title shall include language permitting the applicant to make a voluntary contribution of 2 dollars to support the activities of Virginia Hunters Who Care, Inc., know as Hunters For The Hungry.

§ 29.1-332. License and permit receipts; compensation for issuing; sums to be credited to game protection fund.

A. Notwithstanding the provisions of § 2.2-1802, the money received for licenses and permits issued under this title shall be paid by each clerk or agent to the Department for payment into the state treasury. Payment shall be made by means prescribed by the Board and agreed to by the clerk or agent. For license sales by telephone or electronic media, the means of payment may include a continuous deposit of proceeds from the sale of licenses into accounts from which the Department may electronically transfer funds to a Departmental or state account at agreed-upon intervals. For license sales made other than by telephone or electronic media, the clerk or agent shall add fifty cents to the fee for each license or permit he issues and retain the fifty cents as compensation for such service.

B. Upon receipt into the treasury of such sums the Comptroller shall credit the sums to the game protection fund or to the Lifetime Hunting and Fishing Endowment Fund for licenses sold pursuant to § 29.1-302.1.

C. The voluntary contributions collected pursuant to subsection B of § 29.1-330 and remitted to the Department shall be deposited into the state treasury and credited to a special nonreverting fund, within the game protection fund, known as the Feed the Hungry Fund. Monies in this fund shall be disbursed quarterly to Hunters For The Hungry to support its programs to feed the hungry and other statewide activities related to this mission.

§ 29.1-333. Reports to Director as to sale of licenses.

A. When remitting license and permit receipts, each clerk or agent shall make a report to the Director, in a manner prescribed by the Director, which shall show (i) the quantity of licenses of each kind sold and the amount of gross collections for each kind of license, (ii) the amount of collections retained as compensation pursuant to § 29.1-332, (iii) the net amount remitted to the Department, (iv) the amount of voluntary contributions collected pursuant to subsection B of § 29.1-330, and ~~(iv)~~ (v) any other information that the Director may require.

B. For failure to make a report and remit the amount due within thirty days after the due date, the clerk or agent shall forfeit his compensation for issuing licenses on such report. If an agent fails to have funds in an amount equal to the Department's records of reported license sales in any account from which remission of revenues to the Department is made by periodic electronic transfer, he shall forfeit his compensation for issuing licenses during the period covered by the transfer of the funds. For any subsequent failure to have funds equal to the Department's records of reported license sales in an account from which remission of revenues to the Department is made by periodic electronic transfer, the

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59 Director may revoke the person's status as a license agent.

60 C. For license sales made by telephone or electronic media, the reports and remittances to the  
61 Department shall be made not less than quarterly and in accordance with a schedule prescribed by the  
62 Board. For license sales made other than by telephone or electronic media, the reports and remittances  
63 to the Department shall be made as follows:

64 1. For July and August, not later than September 5.

65 2. For September, October, November and December, monthly, not later than the fifth of the  
66 succeeding month.

67 3. For January, February and March, quarterly, not later than April 5.

68 4. For April, May and June, quarterly, not later than July 5.