

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2571**

4 (By Delegates Walters and Foster)

5  
6 (Originating in the House Committee on Finance)

7 [February 23, 2015]

8  
9  
10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
11 designated §17-2A-8d, relating generally to repairs to state roads; creating a special fund  
12 within the State Road Fund for contributions by private businesses or entities for state road  
13 repair; allowing contributing entities to designate which repairs will be made with the  
14 contributions; providing for acknowledgment of contributions; providing rule-making  
15 authority.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
18 section, designated §17-2A-8d to read as follows:

19 **ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.**

20 **§17-2A-8d. Authority to create a special fund for minor road repairs; contributions by private**  
21 **entities; repairs to be made by the Division of Highways.**

22 (a) Notwithstanding any provision of this code or law to the contrary, the Commissioner is

1 authorized to receive contributions from private businesses and entities for minor road repairs in  
2 accordance with this section. The commissioner shall create a special account within the State Road  
3 Fund to be expended solely for the purpose of making minor road repairs on any county or state road  
4 or highway. This special fund shall be a special revenue account, and may be invested and retain all  
5 earnings and interest. The fund shall be made up of contributions, gifts, grants or donations, as well  
6 as any appropriated funds.

7 (b) Private businesses or entities may contribute to the special fund and may designate which  
8 minor repair project will be completed from the contribution of that private business or entity in a  
9 given county or state road or highway. The private business or private individual may receive  
10 acknowledgment of the contribution toward the minor road repair by letter from the commissioner.  
11 All repairs shall be performed by the Division of Highways.

12 (c) The commissioner shall promulgate rules for legislative approval to carry out the  
13 provisions of this section. The rules shall define what constitutes a minor road repair and set a  
14 maximum dollar amount on the cost of the minor repair that may be completed with the fund. The  
15 commissioner shall also prescribe the manner of acknowledgment by rule.