

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2067

**FISCAL
NOTE**

BY DELEGATE MCGEEHAN

[Introduced February 8, 2017; Referred
to the Committee on Finance.]

1 A BILL to repeal §29-22A-10d, §29-22A-10e, §29-22A-10f of the Code of West Virginia, 1931, as
 2 amended; to repeal §29-22C-27a of said code; to repeal §29-25-22b of said code; and to
 3 amend and reenact §29-22-18d of said code, all relating to the transfer of certain revenues
 4 derived from lottery activities generally, restoring distribution to the West Virginia
 5 Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom;
 6 restoring the amount that may be transferred to the Racetrack Modernization Fund to 2013
 7 rates; eliminating certain statutory distributions to the State Excess Lottery Revenue Fund;
 8 restoring statutory distributions to capital reinvestment, purse funds and development
 9 funds to 2013 rates; and eliminating the statutory authorization for distributions to be paid
 10 on a pro rata basis.

Be it enacted by the Legislature of West Virginia:

1 That §29-22A-10d, §29-22A-10e, §29-22A-10f of the Code of West Virginia, 1931, as
 2 amended, be repealed; that §29-22C-27a of said code be repealed; that §29-25-22b of said code
 3 be repealed; and that §29-22-18d of said code be amended and reenacted, all to read as follows:

ARTICLE 22. STATE LOTTERY ACT.

**§29-22-18d. Increase in allocation to West Virginia Infrastructure Fund from State Excess
 Lottery Revenue Fund.**

1 Notwithstanding any provision of subsection (d), section eighteen-a of this article to the
 2 contrary, the deposit of \$40 million into the West Virginia Infrastructure Fund set forth above is for
 3 the fiscal year beginning July 1, 2010, only. For the fiscal year beginning July 1, ~~2014~~ 2017 and
 4 each fiscal year thereafter, in lieu of the deposits required under subdivision (5), subsection (d),
 5 section eighteen-a of this article, the commission shall, first, deposit \$6 million into the West
 6 Virginia Infrastructure Lottery Revenue Debt Service Fund created in subsection (h), section nine,
 7 article fifteen-a, chapter thirty-one of this code, to be spent in accordance with the provisions of
 8 that subsection and, second, deposit \$40 million into the West Virginia Infrastructure Fund created

9 in subsection (a), section nine, article fifteen-a, chapter thirty-one of this code, to be spent in
10 accordance with the provisions of that article. ~~Provided, That for the fiscal year beginning July 1,~~
11 ~~2014, the deposit to the West Virginia Infrastructure Fund shall be \$20 million: *Provided, however,*~~
12 ~~That notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter thirty-~~
13 ~~one of this code, for the fiscal year beginning July 1, 2014, any moneys disbursed from the West~~
14 ~~Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of the total funds~~
15 ~~available for the funding of projects: *Provided further,* That for the fiscal year beginning July 1,~~
16 ~~2015, the deposit to the West Virginia Infrastructure Fund shall be \$30 million: *And provided*~~
17 ~~*further,* That notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter~~
18 ~~thirty-one of this code, for the fiscal year beginning July 1, 2015, any moneys disbursed from the~~
19 ~~West Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of the total~~
20 ~~funds available for the funding of projects: *And provided further,* That for the fiscal year beginning~~
21 ~~July 1, 2016, the deposit to the West Virginia Infrastructure Fund shall be \$20 million: *And*~~
22 ~~*provided further,* That notwithstanding the provisions of subsection (a), section ten, article fifteen-~~
23 ~~a, chapter thirty-one of this code, for the fiscal year beginning July 1, 2016, any moneys disbursed~~
24 ~~from the West Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of~~
25 ~~the total funds available for the funding of projects~~

NOTE: The purpose of this bill is to restore distribution to the West Virginia Infrastructure Fund to 2013 rates; restore the amount that may be transferred to the Racetrack Modernization Fund to 2013 rates and decrease the funds available for grants therefrom; eliminate certain statutory distributions to the State Excess Lottery Revenue Fund; restore statutory distributions to capital reinvestment, purse funds and development funds to 2013 rates; and eliminate the statutory authorization for distributions to be paid on a pro rata basis.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.