

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4017

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KELLY, TONEY, HARDY, MANDT, MAYNARD, LINVILLE,

PHILLIPS AND CRISS

[Introduced January 09, 2020; Referred to the
Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17-2A-6b, relating to establishing country roads accountability and
 3 transparency; directing the State Auditor to develop and maintain a searchable website of
 4 funding actions and expenditures relating state and public roads; setting forth the minimum
 5 content to be contained in the website; directing the Commissioner of Highways to provide
 6 information and data to the State Auditor; and requiring an annual update to the Joint
 7 Committee on Government and Finance.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§ 17-2A-6b. Country roads accountability and transparency.

1 (a) The Legislature finds that taxpayers should be able to easily access the details of how
 2 the state is spending their tax dollars to build and repair state and public roads. The taxpayers
 3 should also be able to easily access and compare the budgeted moneys and the performance
 4 results that are achieved for those expenditures. It is the intent of the Legislature, therefore, to
 5 direct the Auditor to create and maintain a searchable website detailing where, how much, and
 6 from what source the taxpayer moneys in state government are expended for state and public
 7 roads.

8 (b) No later than July 1, 2020, the Auditor shall develop and make publicly available a
 9 searchable website containing, at a minimum, the following information for a given fiscal year,
 10 and the three immediately preceding fiscal years:

11 (1) The project number or name for each state and public road in which moneys have
 12 been expended to build or repair or in which funding has been directed;

13 (2) The county location for each such project;

14 (3) The funding source for a given funding action or expenditure;

15 (4) The budget program or activity related to a given funding action or expenditure;

16 (5) The name and the address, principal location or residence of the recipients of a given

17 funding action or expenditure; and

18 (6) Additional information as to the funding action or expenditure the Auditor considers
19 valuable for the public.

20 (c) For the purposes of this section:

21 “Auditor” means the State Auditor of West Virginia, by himself or herself, or by any person
22 appointed, designated or approved by the State Auditor to perform the service;

23 “Funding action or expenditure” includes details on the type of spending (grant, contract,
24 appropriations etc.). This includes, but is not limited to, tax exemptions, tax credits, or any
25 expenditure from any civil contingency or similar fund. Where possible, a hyperlink to the actual
26 grants or contracts shall be provided;

27 “Funding source” means the state account from which the funding action or expenditure
28 is appropriated;

29 “Recipients” means any individual, person, corporation, association, union, limited liability
30 corporation, limited liability partnership, legal business entity including nonprofit organizations,
31 grantees, contractors, or any county, municipal or other local government entity that directly
32 receives the benefit of a funding action or expenditure;

33 “Searchable website” means a website that allows the public at no cost to search and
34 aggregate information regarding the state’s budget and spending.

35 (d) The searchable website shall be updated periodically as new data becomes available
36 and is submitted by the commissioner to the Auditor. The commissioner shall provide to the
37 Auditor, in a format specified by the Auditor, all the data that is required to be included in the
38 searchable website no later than 30 days after the data becomes available to the agency. The
39 Auditor shall provide guidance and specifications to the commissioner to promote compliance
40 with this section.

41 (e) The Auditor shall annually provide an update to the Joint Committee on Government
42 and Finance as to the status of the website and shall make known to the Joint Committee and the

- 43 public any failure by the commissioner to timely submit to the Auditor appropriate and requested
44 information.

NOTE: The purpose of this bill is to establish country roads accountability and transparency to the public. The bill directs the State Auditor to develop and maintain a website for the public to search (without cost) ongoing expenditures and locations for state and public road work.

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