

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 589**

SENATORS PREZIOSO, BALDWIN, BEACH, FACEMIRE,  
HARDESTY, IHLENFELD, JEFFRIES, LINDSAY, PALUMBO,  
PLYMALE, ROMANO, STOLLINGS, UNGER, AND WOELFEL,

*original sponsors*

[Originating in the Committee on Transportation and  
Infrastructure; reported on February 12, 2020]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §31-15A-17c, relating to critical needs in state water and sewer systems;  
3 creating a Critical Needs/Failing Systems Sub Account; funding the sub account with  
4 excess uncommitted loan balances; authorizing loans or grants to address a critical  
5 immediate need of water or sewer services; and exempting the sub account from certain  
6 grant limitations.

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

**ARTICLE 15A. WEST VIRGINIA INFRASTRUCTURE AND JOBS DEVELOPMENT  
COUNCIL.**

**§31-15A-17c. Critical Needs/Failing Systems Sub Account.**

1 (a) The council shall direct the West Virginia Water Development Authority to establish a  
2 sub account in the Infrastructure Fund designated as the Critical Needs/Failing Systems Sub  
3 Account into which the council may instruct the West Virginia Water Development Authority to  
4 transfer from the uncommitted loan balances for each congressional district on June 30 each year  
5 up to \$4 million per congressional district.

6 (b) The council shall direct the West Virginia Water Development Authority to make loans  
7 or grants from the Critical Needs/Failing Systems Sub Account when the council determines that  
8 a project will address a critical immediate need by:

9 (1) The continuation of water or sewer services;

10 (2) Addressing water or sewer system failure due to the age of the system; or

11 (3) Providing extensions to a water or sewer system that will add customers with a total  
12 project cost of less than \$1 million.

13 (c) Grant limitations and allocations contained in §31-15A-10(b) and §31-15A-10(c) of this  
14 code do not apply to grants made from the Critical Needs/Failing Systems Sub Account.