

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

Introduced

### House Bill 2498

BY DELEGATES GEARHEART, PAYNTER, MAYNARD,  
BARNHART, ELLINGTON, CRISS, HOUSEHOLDER, HAYNES  
AND KIMES

[Introduced February 15, 2021; Referred to the  
Committee on Technology and Infrastructure then  
Finance]

1 A BILL to amend and reenact §17-16A-11 of the Code of West Virginia, 1931, as amended,  
 2 relating to ensuring that funding to counties named in this section from the State Road  
 3 Construction Account does not affect any other funding received by those counties from  
 4 the State Road Fund.

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

**ARTICLE 16A. WEST VIRGINIA PARKWAYS, ECONOMIC DEVELOPMENT AND  
 TOURISM AUTHORITY.**

**§17-16A-11. State Road Construction Account.**

1 (a) There is hereby created within the State Road Fund a special revenue account to be  
 2 known as the State Road Construction Account held in the State Treasury to be expended by the  
 3 Division of Highways for construction, maintenance and repair of public highways and bridges in  
 4 this state. The State Road Construction Account created in this section is a special revenue  
 5 account in the State Treasury and is not part of the state General Revenue Fund.

6 (b) The State Road Construction Account shall consist of:

7 (1) All or any portion of the proceeds of any parkway revenue bonds issued pursuant to  
 8 §17-16A-10 of code that the Parkways Authority, in its discretion, may credit to the State Road  
 9 Construction Account, notwithstanding any provision of said section to the contrary;

10 (2) Any appropriations, grants, gifts, contributions, or other revenues received by the State  
 11 Road Construction Account from any source; and

12 (3) All interest earned on moneys held in the account.

13 (c) The funds in the special revenue account created by this section will be expended by  
 14 the Division of Highways for the costs of acquisition, construction, reconstruction, maintenance,  
 15 improvement or repair of public highways and bridges, as contained in the Division of Highways'  
 16 Statewide Transportation Improvement Plan as it existed on June 1, 2017, or the West Virginia  
 17 Division of Highways SOS Transportation Investment Program Candidate Project List dated May

18 3, 2017, in the following counties:

19 (1) Raleigh County;

20 (2) Fayette County;

21 (3) Wyoming County;

22 (4) Mercer County;

23 (5) Kanawha County;

24 (6) Greenbrier County;

25 (7) Monroe County;

26 (8) Summers County;

27 (9) McDowell County; and

28 (10) Nicholas County.

29 (d) No funding to the counties listed in subsection (c) of this section, from the State Road  
30 Fund may be modified as a result of receiving any funding from the State Road Construction  
31 Account under this section.

32 (e) The Division shall conduct a study to determine any funding that may have been  
33 disputed from the effective date of this section until January 1, 2021.

NOTE: The purpose of this bill is to ensure that funding to counties named in this section from the State Road Construction Account does not affect any funding received by those counties from the State Road Fund.

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