

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2042

By Delegate Fast

Introduced January 11, 2023; 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 §16-13A-9c, relating to public service districts' laying of water or sewer lines on
 3 state rights-of-way; limiting the onsite time required supervision by a state engineer; and
 4 requiring payment and performance bonds to cover a reasonable length of time for defects
 5 to be discovered.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13A. PUBLIC SERVICE DISTRICTS.

§16-13A-9c. Supervision of laying of lines on state rights-of-way limited.

1 When a public service district lays water or sewer lines on state rights-of-way, the state
 2 may require a state engineer to inspect the project at its commencement, periodically and at its
 3 conclusion. The state may not require a public service district to have an on-site state engineer for
 4 the entire time the project is under construction. The public service district shall require payment
 5 and performance bonds to cover a reasonable length of time for defects to be discovered.

NOTE: The purpose of this bill is to provide oversight into the public service districts' laying of water or sewer lines on state rights-of-way. The bill will limit the onsite time required supervision by a state engineer. The bill will require payment and performance bonds to cover a reasonable length of time for defects to be discovered.

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