

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2232

By Delegate McGeehan

[Introduced January 11, 2023; Referred to the
Committee on Finance]

1 A BILL to amend and reenact §29-22-18d of the Code of West Virginia, 1931; to repeal §29-22A-
 2 10d, §29-22A-10e, and §29-22A-10f of said code; to repeal §29-22C-27a of said code; and
 3 to repeal §29-25-22b of said code, all relating to the transfer of certain revenues derived
 4 from lottery activities generally, restoring distribution to the West Virginia Infrastructure
 5 Fund to 2013 rates and decreasing the funds available for grants therefrom; restoring the
 6 amount that may be transferred to the Racetrack Modernization Fund to 2013 rates;
 7 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:

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 18a of this article to the contrary,
 2 the deposit of \$40 million into the West Virginia Infrastructure Fund set forth above is for the fiscal
 3 year beginning July 1, 2010, only. For the fiscal year beginning July 1, 2014 2023 and each fiscal
 4 year thereafter, in lieu of the deposits required under subdivision (5), subsection (d), section 18a of
 5 this article, the commission shall, first, deposit \$6 million into the West Virginia Infrastructure
 6 Lottery Revenue Debt Service Fund created in, §31-15A-9(h), of this code, to be spent in
 7 accordance with the provisions of that subsection and, second, deposit \$40 million into the West
 8 Virginia Infrastructure Fund created in, §31-15A-9(a) of this code, to be spent in accordance with
 9 the provisions of that article. ~~Provided, That for the fiscal year beginning July 1, 2014, the deposit~~
 10 ~~to the West Virginia Infrastructure Fund shall be \$20 million: Provided, however, That~~
 11 ~~notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter thirty-one of~~
 12 ~~this code, for the fiscal year beginning July 1, 2014, any moneys disbursed from the West Virginia~~

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

ARTICLE 22A. RACETRACK VIDEO LOTTERY.

**§29-22A-10d. Changes in distribution of net terminal income; distributions from excess
lottery fund.**

1 [Repealed.]

**§29-22A-10e. Changes in distribution of excess net terminal income; distributions from
excess lottery fund.**

1 [Repealed.]

§29-22A-10f. Changes in distribution of surcharge.

2 [Repealed.]

ARTICLE 22C. WEST VIRGINIA LOTTERY RACETRACK TABLE GAMES ACT.

**§29-22C-27a. Changes in distribution of adjusted gross receipts; distributions from excess
lottery fund.**

1 [Repealed.]

ARTICLE 25. AUTHORIZED GAMING FACILITY.

**§29-25-22b. Changes in distribution of adjusted gross receipts and additional income;
distributions from excess lottery fund.**

1 [Repealed.]

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.