

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 4704

By Delegate Linville

[Originating in the Committee on Technology and

Infrastructure; Reported on February 2, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §5B-2P-1, §5B-2P-2, and §5B-2P-3, relating to establishing Infrastructure
3 Ready Jurisdictions; establishing the requirement for this designation; establishing
4 rulemaking for these Infrastructure Ready Jurisdictions for the Department of Economic
5 Development; awarding an additional five percent preferential scoring for entities on
6 projects within these jurisdictions on all permissible grants; and providing that this is not
7 available within an uncertified municipality even if the surrounding county or counties are
8 certified.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2P. INFRASTRUCTURE READY JURISDICTIONS.

§5B-2P-1. Process.

1 (a) Any political subdivision of this state which refrains from enacting any permitting
2 requirements other than those contained in this Code and the Code of State Regulations may
3 apply to the Department of Economic Development for a designation as an Infrastructure Ready
4 Jurisdiction: *Provided*, That nothing in this section shall serve to limit the ability of, or to penalize, a
5 political subdivision of this state which elects to promulgate regulations which serve to regulate the
6 installation of wind power equipment.

7 (b) The Department of Economic Development is hereby authorized to promulgate
8 rules governing the process for certification as an Infrastructure Ready Jurisdiction:
9 *Provided*, That those additional permitting requirements which would prevent certification
10 as an infrastructure ready jurisdiction shall only be construed to be those permitting
11 requirements which serve either to delay an infrastructure project or increase its cost.

§5B-2P-2. Benefits.

1 Any grant application for an infrastructure project, whether public or private, which is made
2 by any entity within the corporate boundaries of a political subdivision of this state which is certified
3 as an Infrastructure Ready Jurisdiction, shall receive 5 percent of the maximum score as

4 preferential scoring on all grants permitted by or mandated by any provision of this Code, or by any
5 portion of the Code of State Regulations, unless such preferential scoring is explicitly forbidden by
6 Federal laws or regulations, or by any provision of this Code. A total score may exceed one
7 hundred percent of the otherwise maximum achievable score if it results from the award of such
8 preference as computed.

§5B-2P-3. Multiple Subdivisions.

1 The provisions of this article may not be utilized by applicants for projects situated within a
2 municipality which has not been certified as an Infrastructure Ready Jurisdiction, even if a
3 surrounding county or counties are so certified.