WEST virginia legislature

2025 regular session

Committee Substitute

for

House Bill 2560

By Delegates Linville, Browning, Chiarelli, and Flanigan

[Originating in the Committee on Energy and Public Works; Reported on March 3, 2025]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 2P. INFRASTRUCTURE READY JURISDICTIONS.

§5B-2P-1. Process.

(a) Any political subdivision of this state which refrains from enacting, or, which repeals, any permitting requirements other than those contained in this code and the Code of State Regulations, may apply to the Department of Economic Development for a designation as an Infrastructure Ready Jurisdiction.

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

§5B-2P-2. Benefits.

Any grant application for an infrastructure project, whether public or private, which is made by any entity within the corporate boundaries of a political subdivision of this state which is certified as an Infrastructure Ready Jurisdiction, shall receive five percent of the maximum score as preferential scoring on all grants permitted by or mandated by any provision of this Code, or by any portion of the Code of State Regulations, unless such preferential scoring is explicitly forbidden by federal laws or regulations, or by any provision of this code. A total score may exceed 100% of the otherwise maximum achievable score if it results from the award of such preference as computed.

§5B-2P-3. Multiple Subdivisions.

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

NOTE: The purpose of this bill is to establish Infrastructure Ready Jurisdictions; establish rulemaking; and award an additional five percent preferential scoring for projects within these jurisdictions on all permissible grants.

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