

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

SB 345

Enrolled

Senate Bill 345

BY SENATOR HALL

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2016 MAR 29 P 5:05

FILED

[Passed March 12, 2016; in effect 90 days from passage]

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1 AN ACT to repeal §5A-4-5 of the Code of West Virginia, 1931, as amended; and to amend said
2 code by adding thereto a new section, designated §5A-10-3a, relating to parking on state-
3 owned or leased property; creating parking fees fund; authorizing Real Estate Division to
4 collect parking fees; providing rule-making authority; and continuing Parking Garage Fund.

Be it enacted by the Legislature of West Virginia:

1 That §5A-4-5 of the Code of West Virginia, 1931, as amended, be repealed; and that said
2 code be amended by adding thereto a new section, designated §5A-10-3a, to read as follows:

ARTICLE 10. REAL ESTATE DIVISION.

**§5A-10-3a. Regulation of parking on state-owned or leased property in Charleston;
creation of fund.**

1 (a) The Real Estate Division may regulate the parking of motor vehicles in accordance
2 with the provisions of this section with regard to the following state-owned property in the city of
3 Charleston, Kanawha County:

4 (1) The east side of Greenbrier Street between Kanawha Boulevard and Washington
5 Street, East;

6 (2) The west side of California Avenue between Kanawha Boulevard and Washington
7 Street, East;

8 (3) The state-owned or leased grounds upon which state office buildings number one
9 through twenty and the Laidley Field Complex are located; and

10 (4) Any other property now or hereafter owned or leased by the state or any of its agencies
11 and used for parking purposes in conjunction with the State Capitol or any state office buildings.

12 (b) The Real Estate Division is authorized to collect fees for parking pursuant to subsection
13 (a) of this section. The fees shall be deposited into a special revenue fund to be known as the
14 Parking Lots Operating Fund within the State Treasury. Expenditures from the fund are authorized
15 from collections. The fund may only be used in a manner consistent with this article and in
16 accordance with the provisions of article three, chapter twelve and article two, chapter eleven-b

17 of this code. Any balance remaining in the Special Revenue Fund at the end of any fiscal year
18 does not revert to the General Revenue Fund, but remains in the Special Revenue Fund. All costs
19 and expenses incurred pursuant to this section, including administrative, shall be paid from those
20 funds.

21 (c) The secretary shall propose legislative rules pursuant to article three, chapter twenty-
22 nine-a of this code relating to parking and to allocate parking spaces to public officers and
23 employees of the state upon all of the property set forth in subsection (a) of this section: *Provided*,
24 That notwithstanding this or any other provision of law to the contrary, during sessions of the
25 Legislature, including regular, extended, extraordinary and interim sessions, and any other times
26 designated by the Speaker of the House of Delegates and the President of the Senate, parking
27 on the east side of Greenbrier Street between Kanawha Boulevard and Washington Street, East,
28 in the Culture Center parking lot, on the north side of Kanawha Boulevard between Greenbrier
29 Street and California Avenue, on the west side of California Avenue between Kanawha Boulevard
30 and Washington Street, East, in the parking lot on the east side of California Avenue across from
31 the loading dock entrance and any other areas designated by a joint policy of the Speaker of the
32 House of Delegates and the President of the Senate shall be managed and controlled by the
33 Legislature. Any person parking any vehicle contrary to this section or the rules promulgated
34 under authority of this subsection is subject to a fine as established by rule of the secretary. In
35 addition, a designee of the secretary or the Legislature, as the case may be, may cause the
36 removal, immobilization or other remedy considered necessary, at owner expense, of any vehicle
37 that is parked in violation of the rules or the joint policy between the Speaker of the House of
38 Delegates and the President of the Senate. Magistrates in Kanawha County have jurisdiction over
39 all the offenses under this section.

40 (d) The secretary, the Speaker of the House of Delegates and the President of the Senate
41 may employ persons as may be necessary to enforce the parking rules as provided for under the
42 provisions of this section.

43 (e) The Parking Garage Fund, created in the former section five, article four of this chapter,
44 is continued in the Department of Administration as a special fund consisting of funds that are
45 appropriated and funds from other sources to be used for the construction and maintenance of a
46 parking garage on the State Capitol Complex.


The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman, Senate Committee



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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

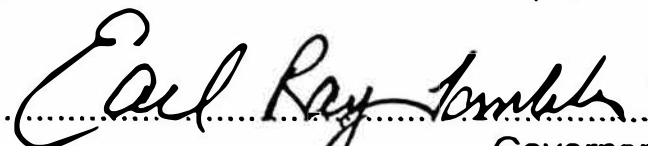

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within is approved this the 29th
Day of March, 2016.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 28 2016

Time 3:05 pm