

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

House Bill 2028

BY DELEGATE FAST

[Originating in the Committee on Government

Organization, January 11, 2019.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-13A-9b, relating to public service districts' laying of water or sewer lines
3 on state rights-of-way; limiting the onsite time required supervision by a state engineer;
4 and requiring payment and performance bonds to cover a reasonable length of time for
5 defects to be discovered.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13A. PUBLIC SERVICE DISTRICTS.

§16-13A-9b. 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
4 for the entire time the project is under construction. The public service district shall require
5 payment and performance bonds to cover a reasonable length of time for defects to be
6 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.